JANUARY 11, 1973
60 CENTS

First Annual Future Events Contest

NEW TIMES

In the Battle of Britain, there were two things that kept us going. Spirit and spirits.

BY PETER TOWNSEND

DON'T GET ME WRONG. We weren't exactly a fly-by-night group of high livers. But, while we fighter pilots were hardened professionals in the air, on the ground we were a pretty happy-go-lucky lot.

We used to say our job was kind of sporting. Maybe it was. But it was a highly dangerous sport in which you had to be right on the ball.

The thing is, though, when you have to work that hard, it sometimes helps to play hard, too. You're like a complicated piece of machinery that occasionally has to be oiled. So off days were party days for us. Dedicated to getting oiled.

Often, the parties were quite impromptu. One pilot bailed out one evening after a furious combat only to land in the garden of a country house where the guests were just arriving for drinks. But those were times when no one frowned on such undignified gate crashing. Or roof crashing. In fact, when the pilot finally left, they invited him to drop in anytime he was in the neighborhood.

I too got involved in one of these spur-of-the-moment parties. The main difference, though, was that I bailed out at 6:30 A.M. in the drink. Hauled aboard a trawler, I was immediately handed a drink to warm me up. But the party was just getting warmed up. For, when a few hours later, the ship docked alongside three others, glasses were raised on each to the survivor. That was me. Glasses were then raised again. And again. Until I wasn't sure I was the survivor.

To tell you the truth, you never knew in those stirring and uncertain times with whom you might be having a "noggin." Early one afternoon after a particularly unpleasant mix up with some Messerschmitts I found myself flat on my backside in a Kentish wood.

It wasn't long, however, before I found myself on my backside on a soft chair in a Kentish pub. A burly countryman had picked me up and drove me at break-neck speed to the "local." We made it just before closing time. And I think we stayed till just before opening time.

And while the battle continued to rage overhead, we continued raising glasses overhead to the damnation of our enemy, who, at the moment were getting a somewhat fiery reception.

But, while there were things you couldn't be certain of, there were also things you could be certain of.

Like what you'd get when someone would buy a whisky for you.

For, in England, then as now, when you say whisky, you mean scotch. And the scotch you're likely to get is Teacher's.

So there's been a lot of Teacher's under the bridge.

Which was all well and good. I mean when they haul you out of the water at 6:30 in the morning, you'll drink anything, so it might as well be something good.

And, when people, out of the goodness of their hearts offer you a drink, you can't really refuse.

So, again, it's a good thing the English know their scotch.

Those were times when it was tough to keep a stiff upper lip. But just as it seemed that our spirits were at their lowest we'd always get a fresh influx of spirits from somewhere or other. Usually, it was Teacher's. You might say it was one of the things that kept us flying.

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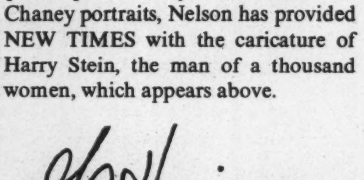
BEHIND THE SCENES

Harry Stein by Bill Nelson

Harry Stein, the 25-year-old writer whose personal tour of post-women's liberation American manhood appears in this issue, has been published in a variety of publications, ranging from *Ramparts* to the Paris *Herald-Tribune* to *The Illustrated Weekly of India* (which paid him in silk). Before that he attended Pomona College in Claremont, Calif., where he founded and edited an off-campus political weekly, and last year he lived in Richmond, Va., helping to set up a muckraking weekly, the Richmond *Mercury*.

Among Stein's colleagues on the *Mercury* was Bill Nelson, then and now the paper's staff artist. Nelson, whose drawing of the second gang that couldn't shoot straight accompanied Jimmy Breslin's account of the Nixon gang three issues back, is the illustrator of this issue's NEW TIMES Future Events Contest. A 27-year-old Richmond native, Nelson worked as a paste-up man for Richmond's daily newspapers until joining the *Mercury*. Now he supports himself by his artistic creations, which grace the pages of such periodicals as *Famous Monsters of Filmland* as well as NEW TIMES. Nelson has won awards from the New York Communicating Arts Show and the New York Art Directors Club.

"My passion," says Nelson, "is the man with the thousand faces, the late silent film star, Lon Chaney Sr." Nelson's portfolio of Chaney-inspired paintings and his vast trove of Chaney memorabilia is scheduled to be the subject of an upcoming *National Enquirer* photo essay. In lieu of his Chaney portraits, Nelson has provided NEW TIMES with the caricature of Harry Stein, the man of a thousand women, which appears above.



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NEW TIMES *January 11, 1974*
Volume 2, Number 1

TOP OF THE NEWS:

The patient auction block *To fill empty beds, hospitals are paying off doctors who provide them with patients. Some of the people put in those beds are far from ill* **By Roger Rapoport** 18

The abortion kickbacks *And for hospitals buying abortion patients, there are volume discounts* 23

John Glenn takes an Earth walk—again *The old astronaut is running for the Senate a third time. But he must beat the Democratic machine and those pesky little devils from his past* **By Mark Goodman** 24

OFF THE NEWS:

The NEW TIMES Future Events Contest *A questionnaire to allay the dark mood, to clarify your vision of the future and perhaps to make you a little richer* 31

If you think last year was lousy. . . *consider these scenarios for 1974:* **Mary Reinholz** *interviews J. D. Watson, Abbie Hoffman, Theadora Van Runkle, Wilfrid Sheed, Paul Krassner, Harry Ashmore, Yoko Ono and Lester Maddox to separate the new year's dark clouds from the silver linings.* **Richard Aurelio** *charts the political future.* **Frank Rich, Richard Kluger** *and* **Janet Maslin** *see what's up in the arts,* **Alvin Toffler,** *author of* Future Shock, *suggests how to deal with energy shock* 40

Justice for none *In sentencing—at the point where most is at stake—judges are completely adrift, without rules or guidelines. What it comes down to is pulling someone's future out of a fishbowl* **By Donald Jackson** 48

"I want a woman just like the . . ." *A self-critical chauvinist travels around the country to see what men in their 20s are looking for in women now that liberation has taken hold* **By Harry Stein** 58

Behind the scenes at NEW TIMES page 2
REVIEWS:
Movies page 64
Books page 65
Music page 66

THE INSIDER:
The Word page 12
Power Politics page 16
Consumer Action page 17

The NEW TIMES Guide to the Arts page 6
FINAL TRIBUTE: All Michael Cullen ever wanted to do was feed the poor
By Nina Bernstein page 68

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THE NEW TIMES GUIDE TO THE

arts

At the movies

By Frank Rich

The 10 best movies of 1973:

American Graffiti
(directed by George Lucas)

Blume in Love
(Paul Mazursky)

Day for Night
(Francois Truffaut)

Days and Nights in the Forest
(Satyajit Ray)

Don't Look Now
(Nicholas Roeg)

Last Tango in Paris
(Bernardo Bertolucci)

Sleeper
(Woody Allen)

The Homecoming
(Peter Hall)

The Last American Hero
(Lamont Johnson)

The Long Goodbye
(Robert Altman)

Other exceptional movies released in 1973: Charles Chaplin's *King in New York*, Yasujiro Ozu's *An Autumn Afternoon* and *Late Autumn*, Don Siegel's *Charley Varrick*, Oscar Williams' *Five on the Black Hand Side*, Jerry Bruck Jr's *I.F. Stone's Weekly*, Guy Hamilton's *Live and Let Die*, Karoly Makk's *Love*, Tomas Gutierrez Alea's *Memories of Underdevelopment*, Costa-Gavras' *State of Siege*. Francois Truffaut's *Such a Gorgeous Kid Like Me*.

The most annoying movies of the year, notable for their empty-headed pretentions: *A Delicate Balance; Dillinger; Executive Action; Save the Tiger; Summer Wishes, Winter Dreams; The All-American Boy; The Hireling; The Paper Chase; The Pyx.*

Papillon. A catastrophe of major financial proportions, adapted by Dalton Trumbo and Lorenzo Semple Jr. from Henri Charriere's memoir about his years devoted to planning escapes from the French penal system. The moral has something to do with the indomitable spirit of man and all that jazz—but

Allen in Sleeper, *"funniest of the year": he has seen the future and it's nuts.*

mostly the film is a very long rehash of scenes you've seen in dozens of other better prison-break movies. Along the way there are a few embarrassing dream sequences meant to explain character, some lush but bland scenery, a topless native girl or two and some lepers who turn out to be pretty nice guys. During the last hour, the pace accelerates and the story runs off its tracks—into incoherency. Franklin J. Schaffner's direction is glossy and overblown; on occasion, Steve McQueen and Dustin Hoffman get to change their make-up.

A King in New York. An eccentric, flawed and exceedingly wonderful Chaplin film, made in England in 1957 and kept out of commercial release in this country until now by the forces of McCarthyism. Although the movie is laced with satiric jokes about American TV and commercialism, Chaplin's view of HUAC is what gives the film its impact. He eschews the shrill liberalism of the period, instead choosing to present a wide, gentle and deeply tragic picture of what happens when the kindest of people compromise their integrity. In its benignancy *A King in New York* is very much of a piece with *Monsieur Verdoux* (1947) and *The Countess from Hong Kong* (1967).

Alfredo, Alfredo. Dumb, flat Italian comedy about a shy bank clerk who gets involved with a woman who screams at the top of her lungs each time she reaches orgasm. With Dustin Hoffman. Directed by Pietro Germi (*Divorce—Italian Style*).

Sleeper. Woody Allen's vision of the future can hold its own with Stanley Kubrick's. As Allen sees it, civilization c. 2173 will have its own share of underground revolutionaries, McKuenesque poets, McDonald's hamburgers and slippery banana peels. If Allen's sense of structure and pacing were up to his genius for comic invention and social insight, he would be a great filmmaker. As it is, he's an often brilliant one, and *Sleeper*, while flagging toward the end, is the funniest movie of the year. Assisting the director-star is Diane Keaton, who does a Marlon Brando imitation to end them all and with whom it is impossible not to fall in love.

Cinderella Liberty. Cornpone with a few modern touches about a square sailor on leave who falls in love with a whore with-a-heart-of-gold and her illegitimate mulatto son. There are a few funny lines in Darryl Ponicsan's script, and James Caan, Eli Wallach and that gifted comedienne Marsha Mason make the most of them. Still, this is the kind of movie in which you hear a tough 11-year-old boy say "Nothing can make me cry" and know damn well the tears will flow by the final credits.

Serpico. Al Pacino, as a New York cop who battles the corruption of his peers, binds this film together by sheer force of personality. Sidney Lumet's direction is plodding and the Waldo Salt/Norman Wexler screenplay (from Peter Maas' book) never fills out the fascinating justice junkie of a hero. The story, though, is unique for a latter-day cops-and-robbers movie, despite a few degrading excursions into Serpico's lovelife.

Magnum Force. A drab sequel to *Dirty Harry*, with star Clint Eastwood but without director Don Siegel, in which we learn that Harry is all that stands between us and the forces of true fascism.

The Laughing Policeman. Stuart Rosenberg directed this uncommonly ugly picture about yet another cop on yet another murder case. Walter Matthau and Bruce Dern go down the drain and, by the time the movie's finished, so may your lunch.

The Sting. A convoluted "gimmick" film about two '30s con men in Chicago. It's often pleasant despite the plot's illogical twists. There are old-fashioned cinematic devices galore, lots of dime-novel lingo, some loving burnt-sienna Robert Surtees cinematography and easygoing comic performances by Paul Newman and Robert Redford. Director George Roy Hill, also of the *Butch Cassidy* gang, keeps it all moving.

At the theater

By Janine Coyle

The 10 best plays of 1973:

A Little Night Music
A Streetcar Named Desire
Creeps
The Changing Room
The Contractors
The Good Doctor
The River Niger
The Visit
Uncle Vanya
When You Comin' Back, Red Ryder?

Creeps. "The sickness (is) like being buried alive. No one seems to hear us, they keep shoveling the dirt in . . . they don't want creeps messing up their world." Playwright David Freeman speaks from firsthand experience. A victim of cerebral palsy, he vegetated in a workshop where, in his words, "the aim is not to earn a CP a living wage, but to occupy his time." The play takes place in the men's washroom of such a shelter, where creeps retreat from taskmaster therapists. But they can't escape from sexual and mental frustrations—their agile minds are prisoners of their limp limbs.

Freeman strikes out at parasitic philanthropists—providers or circus outings, turkey dinners and telethons. He forces a harsh reappraisal of familiar crusaders with a verbatim appeal from Jerry Lewis' last fund raiser: a feverish emcee begs, "Please help these poor blunders of God." A more philosophical creep remarks, "The Bible says the Lord shall provide. Should I get upset if he sends the Kiwanis instead of coming himself?" Without self-pity and tear-jerking tricks, Freeman enlightens the audience disturbingly well. The actors stumble, grope and twitch almost too convincingly. One senses enormous empathy here and can readily understand why *Creeps* won Canada's top drama prize last year.

MacKenzie in Creeps: *stumbles and twitches almost too convincingly.*

The Pajama Game. A sizzling celebration of vintage songs and rousing dances—this revival positively glows. Remember tuneful ballads like "Hey, There" and show-stopping numbers like "Steam Heat" and "Hernando's Hideaway"? Well, they're back and sounding better than ever. Bob Fosse's original staging still leaves the audience clamoring for more. Hal Linden breezes through familiar melodies with obvious delight. And Barbara McNair tops my list of this season's loveliest leading ladies. Like fine wine, age has only enhanced the charm of *Pajama Game*.

The Visit. Billionairess Clara Zachanassian forces "The Flying Dutchman" express to a halt in Gullen, so that she may visit her whistle-stop hometown. The German village barely breathes—its industry abandoned, its people penniless and spiritless. Now Clara returns with an entourage of lackeys and a promise of money to the town. But in exchange for this generosity she demands that Anton Schill, once her lover now a mousy merchant, be murdered. Schill's slanderous lies drove her from Gullen when she was 17 and seven months pregnant with his child. Clara warns, "The world made me into a whore and now I'll make it into a brothel." She offers a billion marks—can Gullen afford not to surrender Schill? Rachel Roberts, with all the debauched beauty of a Toulouse Lautrec madam, seethes with bitterness and treachery as Clara. No one ever doubts she will have her revenge. John McMartin as Anton Schill is an appropriately

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impotent victim. Director Hal Prince, together with the superb New Phoenix Repertory Company, has given Broadway an unequivocal hit.

Chemin de Fer. Another triumph by the New Phoenix Repertory Company. Feydeau's farce combines slapstick humor with French finesse. What is there not to like? Delightful dalliances from fidelity, madcap misadventures—clownish antics played purely for laughs. Rachel Roberts—part Tammy Grimes, part Carol Channing—is irresistably indiscreet as Francine the philandering wife. Her amiable amour, John McMartin, fusses and frets comically. Edward Burbridge's sets lend perfectly to the frolic and frivolity of Feydeau's Paris.

The Good Doctor. Neil Simon's variations on a theme by Chekhov provide sweet music. Laughter needs no encouragement, Chekhov's tales abound in merriment. Yet not all the playlets rely on comedy. And this is where we discover a mellow, more mature Neil Simon. A brief encounter between an autumnal couple wondering whether it's "Too Late for Happiness," or the wise father who arranges for his son to learn the pleasures of sex firsthand (in spite of the youth's protestations, "Couldn't I take a correspondence course?") reveal new dimensions in Simon. He is still the master of humor when depicting an overzealous dental student extracting a tooth from an unwilling patient, or a bullying fishwife extracting a loan from a gout-ridden banker. Christopher Plummer as the good doctor proves a deft storyteller. He guides the audience through Chekhov's folklore as if flourishing a magic wand.

When You Comin' Back, Red Ryder? Yippee! A play packing more action than a Colt .45. Viperous, desperate people trapped in a New Mexico cafe clawing to keep alive. Steven,"Born Dead" tattooed on his arm; Angel, all hair ribbons and baby fat; Lyle, too good and too honest—characters so genuine director Kenneth Frankel surely lassoed them off some parched range. *Red Ryder* should stay in the saddle a long, long time.

In books

By Richard Kluger

If you want to figure what kind of year 1973 was for great literature, try asking yourself how many titles issued during the past 12 months have a fighting chance to be on library shelves when 2074 rolls around. Assuming there are some library shelves left, all, some or none of the following 10 may be on them for the distinctions indicated:

The most ambitious, brilliant, accomplished and opaque novel prize: *Gravity's Rainbow* by Thomas Pynchon. His third novel (after *V.* and *The Crying of Lot 49*) stamps Pynchon as the most dazzling and inventive new talent to come of age in the postwar era. Masterful in his control of complex plots, bursting with a richness of allusions that encompass nearly every facet of modernity, he continues to break ground in surreal fiction first explored by Joyce. He is, it should be noted, hard as hell to dig, but the effort is worth it.

Least tasteful book of the year citation: *Joshua Son of None* by Nancy Freedman. A third-year surgical resident snips a few grains from John F. Kennedy's neck wound as he lies dying in a Dallas hospital. The cells are whisked to an avant-garde California laboratory where, by the yummy process known as cloning, they grow a—you'll never guess—new JFK, who gets elected President and is, of course, done in. A major book club made this—this thing—an alternate selection, a major paperback house paid a lot of money for it, and—have we no shame? Now if the clone had grown up to be a new Calvin Coolidge. . . .

Most profound book not paid enough attention prize: *Economics and the Public Purpose* by John Kenneth Galbraith. Quick, before the Arabs buy Exxon, Nikon buys Kodak, the Teamsters blockade the Super Bowl and the DJI sinks below 500! George Schulz may clutch his throat at the prospect and What's-His-Name-in-the-Oval-Office may still be waiting for the laws of supply and demand to take over, but it is about time Galbraith's blueprint for fiscal reason got real attention paid to it. We've got to regroup on basics like tax policy and government controls if we're going to save capitalism and stay semi-solvent.

Best historical novel with current-day parallel about a Vice President of the United States in big trouble: *Burr* by Gore Vidal. Witty, withering Gore at his historiographic best.

The 1973 best hype, least legwork and biggest waste of talent award: *Marilyn* by Norman Mailer. It is his privilege, beyond question, to pirouette over these soggy embers, and at least he admitted that it was all a rush-for-rubles job, but wistfully one hopes for something with more grit and worth from our most dynamic writer. Then again, maybe Saul Bellow ought to have a go at Jayne Mansfield.

Most auspicious debut of the year trophy: Sharon R. Curtin for *Nobody Ever Died of Old Age*. A tough but compassionate young feminist sets out to see how time does us all in and how we bear up in the gruesome process. A distinguished piece of felt social reportage.

Most valuable contribution to American history medallion: *The Americans: Volume III, The Modern Experience* by Daniel J. Boorstin. Nobody had ever written about our past and present this way till ex-U. of Chicago historian and currently Smithsonian pundit-in-residence took on our gadgetry and artifacts and figured out how they make us tick and vice versa. Beyond the rhetoric and the credos, Boorstin probes and illustrates. Fascinating.

Most unlikely bestseller of the year award: *Portrait of a Marriage* by Nigel Nicolson.

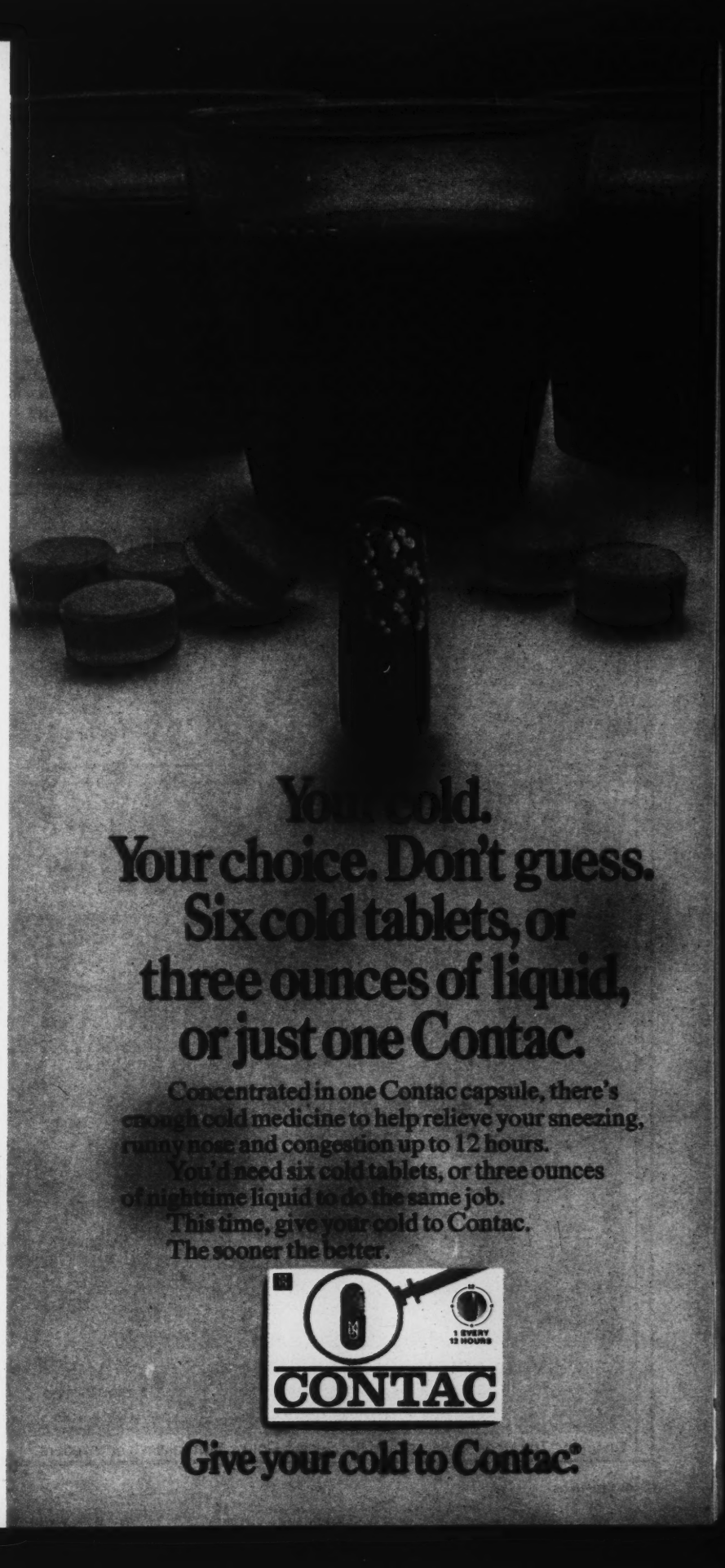
British publisher writes about his flaming-gay socialite mother and astringently homosexual father who, withal, make a quite touching go of it. Civilized chaps, these, for all the seeming decadence.

The Susan B. Anthony memorial prize for the best contribution to female liberation without being bitchy about it: *Women and Madness* by Phyllis Chesler. Landmark in the feminizing—and humanizing—of psychiatric thought and practice.

The 1973 gold medal & sash for premature ejaculation in belles lettres: *The Making of the President: 1972* by Theodore H. White. The climax of this little number is perhaps yet to be.

The Senator from Slaughter County *by Harry M. Caudill* (Atlantic-Little, Brown, 308 pp., $6.95). Slaughter County, 640 square miles of jagged landscape in an unnamed Appalachian state (a mythical hybrid of Kentucky and West Virginia), will do very nicely as a paradigm of the American landscape before we kicked the living bejesus out of it. Lawyer-muckraker Caudhill shows us, in his saga of generations in the hill country, how Eden got sacked and why even its least favored inhabitants joined in the assault. In form, this is a straight-forward novel about the manipulation of power in ways and at a velocity uniquely American; in fact, this is a primer of capitalist piggery at its most carnivorous.

Sula *by Toni Morrison* (Knopf, 174 pp., $5.95). Shirley Ann Grau was much praised for her character, Stanley, the black retainer in *The Condor Passes.* Stanley was, reviewers told us, one of the most insightfully portrayed black people in contemporary white (that was the adjective most reviewers left out) fiction. But Grau's Stanley is like an examination of the outside of a walnut; one feels the quiet, craggy, pleasant texture of the shell. And if one doesn't know about the bitter skin inside the shell or the sweet meat, one can easily go through life—and American fiction—perfectly satisfied. What Toni Morrison did in her first novel, *The Bluest Eye,* and what she does now in *Sula,* is give us an intimate, discomfiting taste of black life—particularly the life of a black woman—in white America. The time span of *Sula* is 1919 to 1941, some of them very hard years in Medallion, Ohio, especially in the part of town "called the suburbs now, but when black people lived there it was called the Bottom." The Bottom. From which Eva Peace, Sula's grandmother, disappears briefly during those early years, leaving her starving children and returning with one leg sacrificed beneath a railroad train for a guaranteed monthly insurance check of $32. Eventually, Sula leaves too, works her way through college and wanders in loneliness—loneliest, she sometimes finds, in bed with men. She returns after 10 years to the Bottom, wandering now just in her mind, thwarted, a pariah. Toni Morrison may bring nothing new to black readers—except one of the best prose styles of anyone now publish-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ing. But to a white reader, her work is a revelation; it's like being able to stand inside the brain of a sensitive, insightful woman—who happens to be black—and look out at the world and say, "Oh, so that's how it is." It's a very rare experience.—Anne Schneider

The Complete Drawings of Hieronymus Bosch *by Charles Van Beuningen* (St. Martin's Press, 83 pp., hardcover $10, softcover $4.95). One of the curious things about the East Village during the reign of LSD was that apartment walls—as well as being covered by some of the least interesting "art" produced here since the 19th century—seemed incomplete without a cheap print of Bosch's *Garden of Earthly Delights*. The trendy, drug-sensitized exposure to Bosch may, in fact, have been one of the few worthwhile things to have come out of that whole ignominious period. Earlier, during another countercultural movement—if not unified then at least undulated by drugs—Bosch's work was integrated and utilized and probably formed the base of the vision that came to be called Surrealism (Magritte, for one, denies the influence of Bosch—but as Van Beuningen points out in his introduction to this extremely interesting collection of Bosch's extant drawings, the influence on Ernst, for example, or—to take it further—on the films of Cocteau, is undeniable). And without its Surrealist antecedents, avant-garde film as we know it today would be very different indeed. Without its Surrealist antecedents, Conceptual art as we know it today would probably not exist. Bosch's influence continues to exert itself in every Western art form built around or in reaction to a wrenching sense of alienation and absurdity—an odd phenomenon, perhaps, when we consider that "long categorized as a heretic by historians, Bosch was considered a profoundly religious man during his lifetime." The drawings in this collection are fascinating; their hold on the imagination is sometimes excruciating. For $4.95 for the (8½"x11¼") paperback edition it seems like wanton self-deprivation not to buy yourself a copy.—A.S.

Bosch's "The Hearing Forest and the Seeing Field": Surrealism's antecedent.

On records

By Janet Maslin

The 10 best albums of 1973:

Band On The Run
Paul McCartney and Wings

Desperado
TheEagles

For Everyman
Jackson Browne

Holland
The Beach Boys

Innervisions
Stevie Wonder

In The Right Place
Dr. John

Last of the Brooklyn Cowboys
Arlo Guthrie

Maria Muldaur
Maria Muldaur

Quadrophenia
TheWho

The Harder They Come
Jimmy Cliff

Single of the year:
"Love Train," the O'Jays

Album cut of the year:
"All The Way From Memphis," from *Mott*, Mott the Hoople

Band On The Run *Paul McCartney and Wings* (Apple). Hooray, his cute period is apparently over. Some of Paul's best melodies ever, beautifully arranged, every cut's a good one, and the lyrics—coy as ever—are charmingly avoidable this time. A real breakthrough for everyone involved, maybe even James Coburn (see album cover).

Dylan *Bob Dylan* (Columbia). If you really respect him, then you ought to respect his judgment too. And Dylan deemed this stuff unreleasable at the time when it was recorded, back in his *Self-Portrait* days. But he has since terminated his relationship with Columbia, which means it's now open season on out-takes. The version here of "Big Yellow Taxi" will live in eternal infamy.

Muscle of Love *Alice Cooper* (Warner Bros.). The usual tiresome perversity, a notch or two above the group's norm, and Alice's singing has improved some, as if that mattered. Sample lyric (Alice's "Summertime" parody): "Daddy-O's rich, Mama was a bitch/ Livin' wasn't easy in between." Liza Minnelli adds some divine-deco background vocals.

Sam Rivers: "everything from the Best of Bop to the outskirts of avant-garde."

Streams *Sam Rivers* (Impulse). Sam rolls along from tenor to soprano sax to flute and piano on his first album in over six years, and his finest to date, delivering a continuous monologue that takes in everything from the Best of Bop to the outskirts of avant-garde in a single rhythmic flow. The sax and flute improvisations come out stronger than the piano on this live recording, but most of the music has the smoothed-out feel of aged denim. Sam doesn't do anything flashy or radically chic, he just—aside from an occasional repetition—does it all exceptionally well.—Peter Occhiogrosso

Puccini, Turandot *The London Philharmonic Orchestra, Zubin Mehta, Conductor* (London). Sutherland's interpretation is a commendable departure from the usual *"I AM E-E-EVIL"* portrayal of Turandot; she conveys the uncertainty and fear that is often lacking in Puccini's princess of fire and ice. Unfortunately, even the superior work by the male principals cannot diminish the fatal flaws of Mehta's inexcusably careless conducting and Caballé's lackadaisical Liu; both are capable of a good deal more artistically. *—Stanley Boczek*

Berlioz: La Damnation De Faust *London Symphony Orchestra and Chorus, Colin Davis, conductor* (Philips). This year's addition to Colin Davis' Berlioz Cycle is another winner. La Damnation, an "opera of the mind," is perfectly suited to the record medium, and this complete, uncut performance eclipses all competition. Tenor Gedda, in top form as Faust, is well matched by basso Bastin's sardonic Mephistopheles. Josephine Veasey is appropriately ardent and harried as the tragic Marguerite. Maestro Davis' masterly, idiomatic direction extracts every ounce of mystery and passion from the brilliant score. Indeed, much of the present Berlioz revival can be credited to Davis' championship of the composer, in the opera house and on disc. Don't miss this issue. *—Eric Kisch* ●

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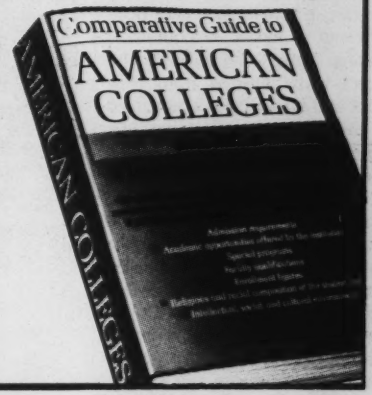

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The Insider THE WORD

The President's nephew converts

What's a nice Jewish girl . . .

Richard Nixon's 26-year-old nephew Donald flew into JFK Airport on a delayed flight recently and encountered a sweet Jewish girl from Hicksville, L.I. who was working in a minor executive position with an airline. Without introducing himself, he told her he didn't know anyone from New York and asked if she would mind accompanying him to dinner. She agreed, they had a fine time, and then he let on that he was a Nixon.

When the girl went home that evening, her mother said she would never hear from him again. But soon after, young Don called her for another date and then another. Being an aide to Robert Vesco in the Bahamas, Nixon always arrived in a big, black, chauffeur-driven limousine that was the talk of Hicksville.

Finally he asked her to marry him. She said yes, but after hearing her rabbi sermonize on the evils of interfaith marriage, she told him she would have to call it off. But Don Nixon was persistent. He has begun religious instruction to convert to Judaism and the marriage is scheduled to take place next spring in a Hicksville Temple.

Said the young woman's mother: "He's a very nice young man, despite his background."

Thanks, Chet

Chet Huntley's $25 million Montana ski resort, Big Sky, was to be opened a year ago, but fights over government roads and lands stalled the project in the courts and construction fell behind schedule. Huntley rallied his backers and despite persistent environmentalist protests, in December the gondola made in France and the triple chairlift made in the USA started to haul skiers up Lone Mountain.

Big Sky president Gus Raaum said the energy crisis should have no effect on the resort—Montana Power promised there would be enough electricity to keep the lifts running and the lodges and condominiums warm. He neglected to mention, however, that electric heat is the most expensive and least practical form of home heating in Montana.

Huntley: last resort

A borderline case

If you took a close look at the pro-Nixon, anti-impeachment ad which appeared in the November 26 *Wall Street Journal*, you might have noticed the rather unique border: tiny little swastikas. Actually, the border appeared only in the paper's Midwest edition published out of Chicago. It was the brainstorm of a typesetter who did not think too much of the ad's content. The Committee to Support the President, which sponsored the ad, was furious. The *Journal* ran the ad again free minus the swastikas. The word is that the printer was fired, although the *Journal* says he quit first.

Nudity with class

For most high schools around the country, the issue is where to draw the line on coeducation—in biology classes, in sex-education classes, gym classes and, for the most daring, even swimming classes. But for the Duluth, Minn. school board, the niceties of what boys and girls do together at school is not the problem. What bothers them is what boys and boys might do together in the swimming pool.

After a parent protested the "immodest" practice of junior high school boys "skinny dipping" in swimming classes, the board quickly voted to spend $14,000 on bathing suits—even though the schools are hard-pressed for money. "It's a lot of hypocrisy," said offended physical education director Leonard Wheat. "You still have to shower after every time you go swimming."

Good news is no news

Good News, the syndicated service founded to brighten the world's information intake three years ago when everything seemed so gloomy, is going out of business for lack of stories and subscribers—but obviously not lack of gloom.

Rebozo: wealthy and wise

Bebe's a card

"Neither material wealth, fame, power nor admiration necessarily brings happiness," reads the Christmas card message to Key Biscayne Bank depositors from the wealthy, famous and powerful bank president Bebe Rebozo. Bebe was apparently full of good cheer this Christmas. Other words of wisdom from President Nixon's best friend: "Happiness does not depend upon a full pocketbook, but upon a mind full of rich thoughts and a heart full of rich emotions." Bah, humbug.

Lucy: life is an S.O.B.

A mealy mouthful

"Life is a banquet and most poor sons of bitches are starving," is a favorite line of Auntie Mame's. But Lucille Ball, who is playing the title role in a musical movie of *Mame*, can't quite bring herself to say it. Violently opposed to the slightest hint of obscenity—and worried about the movie's audience rating—Lucy has recorded three different versions of the same line, turning an S.O.B. into GP for the whole family.

Bull buster of the month

Guns and dope are being edged out on the smuggling circuit these days by, of all things, bull semen. In December, customs agents from Philadelphia and Buffalo closed in on cattle breeder Jack Miller of Collegeville, Pa. and arrested him for sneaking over the border with eight metal containers filled with semen from prize bulls in Canada. The semen, used for artificial insemination, was worth $1 million, which is a lotta bull.

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POWER POLITICS

Kent State guardsmen on the line; Filling the White House power gap; Nobody wants to be mayor in Spangle

The Insider: Politics

U.S. intelligence officials are becoming increasingly gloomy over the outlook at the **Israeli-Arab peace talks.** To be successful, these talks require Soviet cooperation. But there are at least two clear signs the Soviets are game-playing in the Mideast. First there was Syria's withdrawal from the talks. "Syria is a Soviet client and does what she's told," remarks a top analyst who briefs Kissinger. Second, the CIA has uncovered hard evidence that for the first time the Soviets are supplying the Palestinian guerrilla movement with both arms and organizational training, in effect treating the Palestinians as an established state.

Kent State: murder or accident?

Attorneys working on the freshly reopened **Kent State investigation** believe they have enough evidence to indict and convict three to five National Guardsmen involved in the May, 1970 shootings, according to a Justice Department official. "They think they got 'em cold," he says. "A lot of hard work—since August—has gone into this case and they think that they can get convictions." But no matter how good the evidence, he adds, "they fear that no Ohio grand jury will hand down indictments. Antistudent feeling still runs too high in the state."

If the 1973 elections provided only vague signs of a **Watergate toll** upon the fortunes of the GOP, two special elections coming up in February are expected to clarify the impact. On February 5, there is an election to fill the Congressional seat of former Rep. John Saylor, the senior Republican in the Pennsylvania delegation who died in October. And then on February 18, Vice President Ford's former seat in Grand Rapids, Mich., will be filled. Should both seats fall to the Democrats, Republicans will begin pushing hard to force Nixon out for their own survival.

The Central Intelligence Agency committed 50 agents and 1,700 man hours censoring 339 passages from Knopf's new **CIA exposé**—on national security grounds of course. Former agent and co-author Victor Marchetti insists that at least one quarter of the censored material in the book is on the public record and that, in any case, the CIA is more concerned about its image than national security. One deleted item, for example, was simply the description of an ill-fated agency effort to develop a bugging device that could be surgically implanted in a house pet.

Despite his claim that he is getting out of politics, outgoing Nixon aide **Melvin Laird** is expected by Washington insiders to reenter the arena inside of six months. Where? Nelson Rockefeller's Presidential campaign, now thinly fronted by the Committee for Critical Choices in America. "Laird has always felt that Rockefeller is the best choice for President," says one insider. "If Ford doesn't rise to the Oval Office in the next six months, Laird will move to Rocky's campaign."

Laird: critical choices

And as Laird moves out, the man moving into the center of the power vacuum is **Roy Ash,** the former Litton executive who heads the Office of Management and Budget. Ash's staff has not been touched by Watergate. The new "energy czar" legislation, for example, widely credited to the Treasury Department, was largely Ash's work. And one of his own men, John C. Sawhill, moved into the number two slot in the agency.

While Washington D.C., struggles over proposals for public financing of Presidential races, the state of Oregon has passed a **new law limiting campaign expenses** for Congressional and local elections. The law requires that a candidate's total expenditures in a statewide race not exceed 15 cents for each person in the state eligible to vote. This works out to $179,651.40.

In the state of Washington next door, a new law requiring public officials to disclose their financial affairs has been creating some local problems. Take Spangle, Wash., population 179. The City Hall stands empty. Why? Well, privacy is a big thing in a small town.

Just before election day last November, Mayor J.W. Schieche (whose salary is $10 a month) and four of the five city councilmen (who get $7.50 a month) all quit. "I do business with 150 farmers here," said Schieche. "Any time one of them might owe me $500 I'd have to report it. You can well imagine I'd have a bunch of farmers down my neck."

CONSUMER ACTION

The energy crisis and insurance; Snowmobile power; A Detroit judge goes after shortweighters

The Insider : Consumerism

At present the key (and virtually only) consumer proposal before Congress would establish a new governmental agency to actively represent consumer interests. Unlike the regulatory agencies, which arbitrate between special and consumer interests on behalf of what is vaguely known as the "public interest," a **Consumer Protection Agency** would act directly as a consumer advocate—with legal standing and perhaps subpoena powers—to take part in the tangle of legislative and administrative processes that affect consumers.

For several years, various proposals for such an agency have been debated, lobbied for and against, and finally worn down in Congress. There is little disagreement about the need for such an agency—it has now assumed the status of motherhood in Washington—but there is a lot of disagreement on just how much a consumer adversary such an agency should be.

In general, business interests want to extract any teeth from what looms to them as a dangerous beast (there are exceptions, such as Montgomery Ward). The Nixon Administration, needless to say, is for de-toothing. But consumer groups, led by **Ralph Nader**, want to give the agency broad powers of intervention and an independent budget approved by Congress rather than the White House. Nader feels so strongly about these two requirements that two years ago he personally lobbied against and killed a bill that didn't include them.

It now appears the final battle will be fought next spring—Nader is backing Connecticut Senator Abe Ribicoff's bill S-707—and already the private and public interest lobbyists have begun to line up their votes. Consumerists feel that the pressures of Watergate, growing consumer dissatisfaction and the upcoming 1974 elections combine to make this session the best time to push for a good bill.

The energy crisis does not portend entirely bad news for the consumer. For instance, given the restriction on driving, people will spend less time in their cars, travel slower and cause fewer accidents. As a result, **auto insurance premiums** will eventually go down.

In Pennsylvania, says the state's Insurance Commissioner Herbert Denenberg, "There will be an immediate effect. If any company asks us for a rate increase, we will now require it to take into account the new factor of less travel. This will at least keep rate increases from going up as much."

Other kinds of insurance, however, might increase. If people start using candles and wood-burning stoves, the risk of fire is greater. Moreover, less illumination could increase the chances of burglary. Both these factors, Denenberg says, could drive homeowners' insurance up.

After the President's first fuel crisis speech, Maine Governor Kenneth Curtis cheerfully volunteered that, as an energy-saving measure, snowmobile use could be cut 50 percent. **The snowmobile lobby** counterattacked and after a little prodding Curtis quickly reversed his field, and now says the fuel shortage is no reason to stop snowmobiling. New Hampshire Governor **Meldrim Thomson** followed suit, emphasizing the vital importance of snowmobiling to the state's economy, and promised he would seek federal guarantees of gasoline allocations for motorized sport vehicles.

In the history of the marketplace, **shortweighting** was considered a most serious crime: in some societies, the punishment was stoning; in colonial times, those who put their thumbs on the scale would find themselves in the stocks. But today the offense has been treated leniently by the courts.

ILLUSTRATION BY JERRY ZIMMERMAN

Recently, however, a Detroit judge, Justin C. Ravitz, sentenced a meat manager to a day in jail for improperly weighing 33 items (29 shortweighted). The judge could have imposed a 90-day sentence under law, but he said the manager was only a "near-functionary" of the corporation. In the future he threatens to put the executives of the food chain in jail.

The patient auction block

By Roger Rapoport

On the eve of her hysterectomy not long ago, the patient from East Los Angeles felt confused. Why was she no longer being treated in a hospital close to her home? Why was she out here at St. Michael's Hospital in Hermosa Beach, 30 miles away? When her doctor showed up on rounds, she asked for an explanation. The doctor was his old reassuring self. He insisted the facilities here were excellent; the operation would go like clockwork. However, to shore up any last-minute anxieties, he suggested she, being Catholic, just might be interested in purchasing one of his St. Christopher medals bearing the Pope's personal blessings. The price was a mere $10. The patient handed over her money.

Although the woman felt reassured, the doctor had been considerably less than candid about her case. Actually she needed no hysterectomy. The woman and all the doctor's other St. Michael's patients were at this hospital for a very special reason. The corporate owner of the hospital—which had too many empty beds—was paying the doctor $50-$100 for each patient.

During recent years this doctor has sold thousands of patients to southern California hospitals at $50 to $100 a head or 10 percent of the gross hospital bill, whichever is higher. An extensive investigation has revealed that he is one of hundreds of doctors who is selling patients to dozens of southern California hospitals desperate to fill vacant beds. In exchange

To fill empty beds, hospitals are paying off doctors who provide them with patients. Some of the people put in those beds are far from ill

for my promise to most of them that I would not use their names, hospital owners, administrators, doctors and others in the medical business have documented for me hundreds of cases since 1970 of patients having been bought and sold like so many used overcoats. To back up their own eyewitness testimony, they have shown me itemized statements on accounting ledger cards that name patients, dates of admission, dates of discharge, the amount of each bill and the sum total payable as a "finder's fee" to the doctor or to patient brokers, who often act as middle men between these buyers and sellers of human beings. Further verification has come through check photostats, check stubs, account books and interviews with patient brokers.

All these patients have been purchased by corporate or doctor-owned hospitals anxious to alleviate a critical patient shortage. Overbuilding by these profit-oriented medical entrepreneurs has created about 10,400 vacancies among Los Angeles County's 32,230 hospital beds. While the majority of reputable nonprofit hospitals run by municipalities, church groups and universities enjoys a good occupancy rate, many proprietary—profit-oriented—facilities must constantly scramble for patients. These proprietary hospitals were constructed by doctors, lawyers, accountants, insurance men, bankers, hotel men, fried-chicken merchants and others anxious to cash in on the medical boom.

Many of these proprietary hospitals lack the reputation, staff and quality facilities necessary to attract doctors voluntarily. As a result, they must resort to offering cash or other gratuities to draw physicians and their patients. Owners of these facilities have tried to fill their beds by giving doctors stock, vacations, cars, and free lab and X-ray work for providing patients. However, most doctors prefer being paid off in cash, and that initial $50 to $100 payoff is a good investment for the profit-minded hospital owner. One former southern California hospital administrator says, "Whenever we purchased a patient, he never got out the door until he ran the bill up to $1,000. The pay-off was $100, our overhead was $400, so that left us with a net profit of $500. On a $3,000 bill, the profit can run up to $1,500."

Most of the California doctors who sell patients obtain them directly from their private practice. But some of the biggest suppliers own or operate private emergency rooms from which they divert patients to hospitals for cash. Those physicians who sell patients and do not deal directly with hospitals work through the patient-brokers, who search among hospitals for the highest bidder. Sometimes hospitalization of a patient in need of care will be held off a day while the broker tries to drive up the price.

Hospitals regularly buy three types of patients: sick ones who require hospitalization somewhere; healthy ones whose doctors convince them they are sick; and

Roger Rapoport has written extensively about medicine. His most recent articles on doctors and proprietary hospitals appeared in Playboy *and* Harper's.

PHOTOGRAPH BY STEVE PHILLIPS

SOLD

people with minor injuries suffered in accidents, whose doctors are working in tandem with negligence attorneys eager to profit from substantial insurance claims. The patients never know they are being sold, nor are they ever willing or knowing parties to any fraud. But the California Business and Professional Code expressly forbids *physicians* from receiving any compensation for directing a patient to a specific medical facility. Violators are subject to suspension or revocation of their medical licenses as well as to prosecution on misdemeanor charges. The sale of patients also violates the ethical standards of the American, California and Los Angeles County medical associations.

Among the patient buyers is one of the nation's largest proprietary hospital chains, American Medical International (AMI), which is based in Beverly Hills. The firm's chairman and chief executive officer, Uranus J. Appel, has personally negotiated the purchase of patients for two hospitals—Doctors Hospital on Jefferson Boulevard in Los Angeles, and Memorial Hospital in suburban Hawthorne. Similarly, A.R. Markey, chairman and chief executive officer of Los Angeles-based Century Medical Inc., has bought patients for his organization's East Los Angeles Doctors Hospital, Bellflower Community Hospital and Mid-City Hospital. Independently owned hospitals, such as Bel Air and St. Michael's, have also bought many patients.

Owners and administrators of all these hospitals deny that their hospitals here ever purchased patients, although some, like Appel and Markey, acknowledge that the practice exists. Their denials are contradicted by people who personally received checks from AMI, Century Medical, Bel Air and St. Michael's in exchange for patients.

Ronald Brown, president of Centennial Villas Inc.—a Seattle-based chain which operated Canoga Terrace Hospital, a rehabilitation facility in suburban Los Angeles—says that Canoga purchased hundreds of patients in 1971. When he uncovered the payoffs, Brown fired the executives responsible.

Another man, who recently left hospital management in disgust over what he was doing, told me: "Dozens of reputable doctors in this community sold me patients. They gave me well ones, sick ones, old ones and young ones. Today many of these profit-making medical centers are so desperate for patients they will buy anything they can get. Some buy from bounty hunters who turn in skid-row derelicts for $50 apiece. They purchase patients with minor nosebleeds, colds or sprained fingers. I know one hospital that even bought a 'sick' baby for $50. The doctor's admitting diagnosis was pneumonia; the infant's temperature was 98.6."

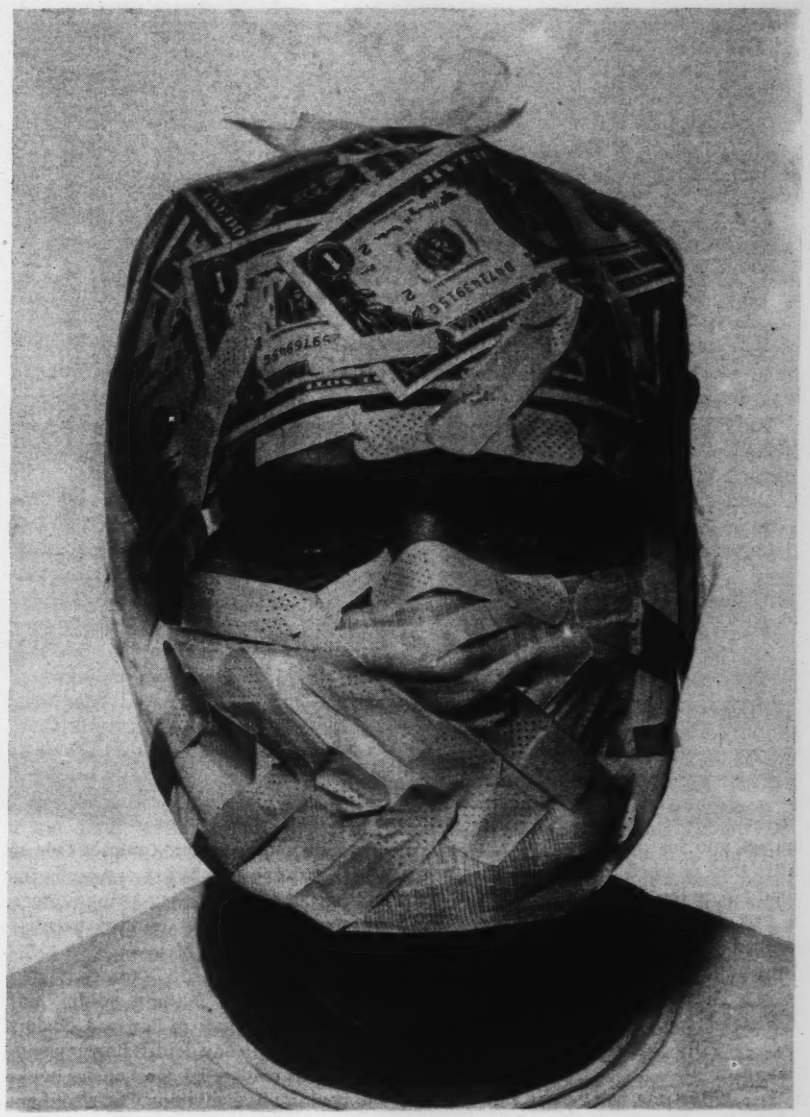
> "Some of the women they sold us were hookers who simply snuck out during the evening and brought Johns to the rooms"

One problem in buying patients is that the healthy ones quickly become restless in the hospital. A man who worked as an administrator at a Los Angeles rehabilitation hospital in 1971 says that people there had a difficult time keeping patients in bed. "In the medical world, our place was known as a 'whiplash' hospital," he says. "Doctors sold us patients whose lawyers were anxious to establish a hospital record that would help them jack up the insurance they could collect. About half the patients had minor soft-tissue injuries or sprains that could not possibly justify hospitalization. Some of the women they sold us were hookers who simply snuck out during the evening and brought their Johns back to the room. When they finished turning their tricks, these women could get high for the rest of the evening on drugs stolen from the pharmacy by patients who were dealing. Or they could join the all-night crap game in the hospital recreation room. You could never be sure where the patients were. One nurse grew so horny for a particular patient that she took him home with her every night."

To avoid embarrassments such as these, doctors now try to quiet down healthy patients they sell to hospitals. One doctor has earned the nickname "The Demerol Kid" by routinely prescribing that sedative to keep them calm and happy. It is not unusual for him to have 80 percent of his patients on the drug. Dosages are stepped up for healthy individuals complaining about prolonged hospitalization. The administering of enough Demerol will keep the fittest person flat on his back in bed.

"At a medical staff conference, each patient's insurance coverage is studied," says an administrator. "Then a 'treatment' program is mapped out to reap maximum available revenue. They get 'treated' for everything their insurance covers. Poor patients get the 'welfare special,' which makes the most of their Medi-Cal benefits." This kind of planning simplifies care for healthy patients. For example, at Bellflower, specialists who just happen to be part-owners of the facility come in recommending expensive lab tests, X-rays and drugs. Next surgeons show up to suggest costly operations. Afterward, patients are resold to convalescent homes at $50 to $100 apiece. Finally they may return to the hospital for outpatient visits to clear up iatrogenic (hospital-induced) disease.

It is not unusual for the same patient to be sold as many as four times. Car crash victims are picked up by "runners," who are independent operators with police-band radios in their cars. The runners hear accident calls, race to the scene and say things like, "You'll need a lawyer to handle your case immediately. I happen to



PHOTOGRAPH BY ALFRED GESCHEIDT

represent one." Victims are signed up in behalf of a personal-injury lawyer and, after paying off the runner, the attorney turns around and sells the patient to a doctor. The physician markets his new case to a hospital and then resells him to a convalescent home.

Many Los Angeles hospitals employ publicists who actually arrange the purchases. These consultants work on a retainer basis or take a fixed percentage of the hospital bill of each body they bring in. Century Medical's president, Markey, says, "These public relations guys make all kinds of promises to doctors. When we bought Bellflower Community Hospital in 1969, I suddenly discovered that one of the consultants made special commitments to a doctor who was one of the biggest admitters of patients on the staff. To avoid bad relations we took this doctor out to dinner and decided to resolve his demand that we meet the promises made to him by flipping a coin. He won the flip, and we ended up giving him 30,000 shares in the company, which were worth $150,000 at the time."

For 30,000 shares this physician continued to be a major admitter to Bellflower and other Century hospitals, such as East Los Angeles Doctors and Mid-City. Among his other fringe benefits was a $65,000 promissory note from East Los Angeles Doctors. When the physician failed to pay off the note, Markey personally bought it back from his own firm's hospital. "It looked bad for me," Markey says, "since I had made the original deal. The only honorable thing I could do was assume the obligation, which has yet to be paid off. Sure I've made loans to him and other doctors. There's nothing sinister about it. We have been trying to help these physicians open new clinics. Under the best of circumstances, that would mean more patients for our hospitals."

A principal source of patients—and a major headache—has been the private Los Angeles emergency rooms owned by physician-entrepreneurs. After one such entrepreneur promised to come through with a steady flow of patients for Century, mysterious shortages began developing. It turned out that the doctors running his emergency room were stealing his patients and selling them to other facilities, such as AMI's Doctors Hospital or Hawthorne Memorial. By simply not recording patient arrivals, it was easy for the doctors to send them elsewhere and pocket payoffs without the owner's knowledge.

One administrator, who bought some of these patients from the disloyal emergency-room doctors, says, "A lot of times doctors shop around for the highest price. This plays havoc with the patient blackmarket, particularly during slack-occupancy periods like Christmas. Deals fall through unless a hospital can meet the competition's offer."

When the physician-entrepreneur uncovered patient thievery in his emergency room, he fired the doctors responsible and subsequently sold the emergency room to concentrate on merchandising only his private patients. At times he has kept as many as 15 patients at St. Michael's. Big admitters such as he are constantly being courted by rival hospital administrators, and this has caused serious problems for volume buyers like AMI Chairman Uranus Appel.

One of Appel's major suppliers has been a physician who has such a passion for doing hysterectomies that uteri need not even be unhealthy for him to surgically remove them. At one point this physician sold roughly 20 patients to Doctors Hospital at $100 apiece. A few days after he collected from AMI, he was handling night emergencies at another medical facility. During a lull he took one of the

PHOTOGRAPH BY STEVE PHILLIPS

nurses into his private quarters. Shortly after they climbed into bed there was a loud rap on the door. A man representing a Los Angeles convalescent hospital walked in saying he was desperate for fresh patients.

The naked doctor sat up and asked, "What are you paying?"

"Fifty dollars a head," replied the man.

"Meet me at Doctors Hospital at nine tomorrow morning," said the doctor, lying down.

The next day they met at Doctors. The man handed over the check and the physician transferred his entire ward load to the convalescent home.

"Why are we being moved?" asked one of his confused patients.

"Because you'll get better care at the convalescent hospital," explained the doctor.

Poor Appel was powerless to halt the robbery. This was not the sort of thing he could take to the police or the state department of health care services.

Generally proprietary chains like AMI and Century buy patients to shore up their weakest hospitals. Unfortunately these purchases do not always solve financial problems. In August, 1971 fiscal reverses within the Centennial Villas chain prompted the directors to hire Ronald Brown on a management contract. One of his first moves was to fly to Los Angeles for an inspection of its money-losing Canoga Terrace Hospital. He found a peculiar situation confronting him

"The firm's top executives had apparently been making some very strange deals. As soon as I arrived, doctors began coming in and demanding payment for services rendered. I checked our books and couldn't find anything we owed them for. After looking into the matter a little more I discovered the hospital had been paying out tens of thousands of dollars to physicians for hundreds of patients. I immediately fired the executives responsible and settled our remaining debts. This didn't satisfy one doctor, who wanted more. He threatened to sue but never did. I think he must have figured out he wouldn't have a very strong position in court."

The man handed over the check and the physician transferred his entire ward to the convalescent home

But the business continues elsewhere, and hospitals prepared to pay a premium flourish while underfinanced facilities flounder. Because Mid-City could not meet the competition's price, its patient census dipped drastically. Big admitters simply shifted their patients to other hospitals that could afford bigger payoffs, and the Mid-City facility was forced to close in December, 1972.

Across the nation, other physicians are beginning to follow the lead of the enterprising Los Angeles medical men. One patient broker who has represented numerous doctors believes the future is limitless. "Name me a major city with proprietary hospitals that have overbuilt, and I'll guarantee you it's a place where patients are bought and sold," he says. "In New York City doctors get cash, autos, vacations and other gratuities from proprietary hospitals in exchange for regular deliveries. In Miami I know of physicians who deliver all their patients to one hospital in exchange for $3,000 a month.

"As long as these profit-oriented firms persist in overbuilding, hospitals will continue buying patients. It's strictly a matter of survival. The doctors involved couldn't be happier. They've found a perfect, recession-proof business that just happens to be tax free." ●

The abortion kickbacks

Not all Los Angeles hospitals have to pay $50 to $100 to acquire patients. At least two prime suppliers of patients, the Rev. J. Hugh Anwyl—who used to be in the business of saving souls before he got into selling bodies—and Dr. Morton Barke firmly believe in volume discounts. During 1971 and 1972 they sent 7,706 abortion cases to suburban Montclair Hospital at a mere $20 a head.

The deal between the doctor and the reverend began in 1970. Anwyl, a former minister of the Mt. Hollywood Congregational Church, was then director of Clergy Counseling Service for Problem Pregnancies, and he also processed abortion referrals for Planned Parenthood/Los Angeles. When Anwyl met Dr. Barke, the reverend immediately began referring abortion cases to the gynecologist's personally owned West Coast Medical Group. Then Dr. Barke helped set up National Abortion Council to get still more patients. NAC did little more than take calls from abortion patients who were responding to NAC ads—and referred the callers to Dr. Barke.

The Clergy Counseling Service and National Abortion Council referrals made Barke's West Coast Medical Group flourish. In the summer of 1971, Dr. Barke went to A.R. Markey, chairman of Century Medical Inc., which owned Montclair Hospital. Why not turn the money-losing, 34-bed facility into an abortion hospital? Barke promised to supply Montclair with 2,000 patients a month if Markey would pay $20 a head to National Abortion Council. Markey agreed and Barke began shipping in patients. But not enough. He fell short of his guarantee. So he went to Anwyl, who came up with a new source of patients. In the fall of 1971 Anwyl merged Clergy Counseling Service with Planned Parenthood/Los Angeles and directed abortion referral work for both organizations. Since federally funded Planned Parenthood is the country's largest family planning agency, with over 700 clinics nationwide, it was easy for the Rev. Anwyl to persuade affiliates in states where abortions were illegal to refer patients to his friend, Barke, for abortions at Montclair.

By November, 1971 Barke's West Coast Medical Group had expanded to a staff of eight doctors, two nurses and 20 clerical workers. Thanks to Anwyl, patients were flying in from all over. They were picked up by one of the air-conditioned, 12-passenger vans from Barke's group, whisked to Montclair for quick abortions and returned to the airport within hours. Montclair paid $20 to Planned Parenthood/Los Angeles or NAC for each patient, regardless of whether she paid cash or was covered by the California version of Medicaid, Medi-Cal. The kickbacks were made under the guise of payments for psychological testing and evaluation, which consisted of the following at NAC: just prior to their abortions, National Abortion Council patients filled out a one-page questionnaire. These forms were taken to the NAC office where a clerk rubber stamped them with a psychologist's name.

Montclair also kicked back $20 per patient to Planned Parenthood/Los Angeles for "psychological testing and evaluation." According to sources who were with West Coast Medical Group at the time, there is no evidence that the "psychological testing and evaluation" was actually provided to these patients by Planned Parenthood. Moreover, Planned Parenthood/Los Angeles operates under a federal grant channelled to it through the Los Angeles Regional Family Planning Council, and this grant provides money for "counseling." Under the terms of the grant, Planned Parenthood/Los Angeles is prohibited from receiving any second payment for counseling services to abortion patients. But between November 3, 1971 and March 28, 1972, it received from Montclair $52,940 for "psychological testing and evaluation" of 2,647 abortion patients.

According to the Rev. Anwyl—who became executive director of Planned Parenthood/Los Angeles in 1972—the organization's '71 and '72 financial reports do not show any hospital income for psychological testing and evaluation or any other direct services charged to abortion patients. "We never accept any payments of any kind on abortion referrals," the Rev. Anwyl says. "It's unethical. We don't allow it because it might influence where we send our patients. We want to be free to send our patients to the best possible hospital."

The fact is that I have copies of 20 checks that were sent from Montclair to Planned Parenthood/Los Angeles in payment for "psychological testing and evaluation." The first four of these checks were sent directly to Planned Parenthood. But Dr. Barke wanted to be sure that Planned Parenthood was not getting paid off for any of *his* NAC patients, so he asked Century Medical Inc., the owner of Montclair Hospital, to send further checks to him for forwarding. On December 14, 1971 Century issued a check for $2,220 made out to Planned Parenthood-West Coast Med. Group, Inc. It was mailed to the West Coast Medical Group office and marked "personal and confidential," attention of Dr. Morton Barke. The next eight checks were also sent to Dr. Barke who, after examining them, had them delivered to the Rev. Anwyl. This procedure upset Anwyl, so Century tried to strike a compromise by sending the final seven payments—which were still marked to the attention of Dr. Barke—directly to Planned Parenthood.

Planned Parenthood/Los Angeles was violating the terms of its federal grant in two ways. First, it was receiving a second payment for "psychological testing and evaluation" of abortion patients, not permissible under the terms of its grant. Second, it was failing to report this income to the federal government. Both these violations could result in termination of the government funding. More important, if there was appropriation of unreported revenue by an executive of a federally funded organization, this could lead to felony prosecution.

As for Dr. Barke, his funneling of checks to Planned Parenthood could run afoul of the California Business and Professional Code, which prohibits physicians from directing money to sources of patients. Also, any direct or indirect financing of National Abortion Council by Dr. Barke would be a violation of the California Business and Professional Code.

In 1972, Dr. Barke and the Rev. Anwyl became dissatisfied with the $20-a-patient fee at Montclair. Barke tried to talk Century chairman A.R. Markey into selling him Montclair Hospital, with Anwyl sitting in on some of the negotiations. When that deal did not go through, Barke and Anwyl tried to boost Montclair's kickback by $5 per patient. Markey balked, and the abortion patient suppliers pulled out of Montclair in the spring of '72.

After withdrawing from Montclair, they directed their patients to Bel Air for a time. Then, Barke became an owner of Inglewood Hospital, which immediately began receiving the majority of Planned Parenthood's cases, then approaching 1,000 a month. The National Abortion Council changed its name to the National Family Planning Council and began offering a full range of patient services, but the vast majority of its abortion cases ended up at Barke's Inglewood Hospital. **—Roger Rapoport**

John Glenn takes an Earth walk—again

By Mark Goodman

The old astronaut is running for the Senate a third time, but he must beat the Democratic machine and those pesky little devils from his past

"John Glenn? Yeah, I'll vote for him. Not because he was a hotshot astronaut. Not because he's such a good guy, although I hear he is. I'm gonna vote for him just because he's not in. I think we ought to go to the polls and vote out every politician and put in a whole new batch. People are tired of corruption. The country is hurting. And I voted for Nixon."
—A Canton, Ohio, factory worker watching John Glenn kick off his '74 campaign for a U.S. Senate seat.

SUNDAY. I check into the Cleveland Sheraton Hotel and take a quick look at the Lewis Room, tastefully decorated in bawdyhouse chic. I have not yet met John Glenn, but already I admire his guts. He is running for the U.S. Senate again, bucking the Ohio Democratic party machine and making his announcement this December day in the miserable heart of downtown Cleveland. Not in the warm, safe womb of New Concord, the tidy southern Ohio town where he was born; no, not even in a glossy suburb like Rocky River or Gates Mills, where the good Protestant business and professional men think of him as the best of their own and the lacquered housewives remember how they dug that silver lamé astronaut drag; but Cleveland, home of his opponent, Howard M. Metzenbaum, the slick, urban millionaire.

I am greeted by Mark Johnson, 30, the friendly, nervous press aide of the campaign. He has a hard lick of Georgia cracker salt in his voice.

"Ewe want to meet the candidate?" he asks.

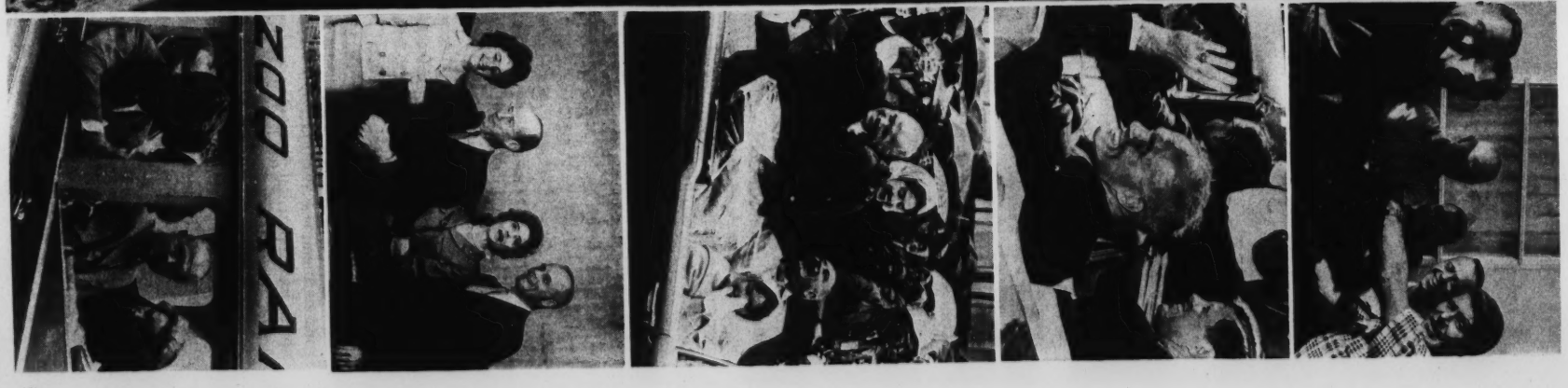
He wasn't being cute; Glenn's team this time around is Professional, and Pros call their man The Candidate; the term bespeaks big-time machinations, brittle conspiracies, even the threat of political villainy ("The body of an unidentified male candidate was found today. . .").

Upstairs, in his fifth-floor suite, Glenn and his staff are dissecting one of several position papers he will present during his six-day swing through the state. Glenn deploys one of his favorite verbs, "hack"—a good, clipped, can-do military word. "I want to hack through this on the bus tomorrow . . . it's rough . . . don't need to rebuild it . . . just want to put it into decent English . . . which it isn't in now." Harried, Mark Johnson returns to his room and calls the Glenn office in Columbus. "Oh yeah, everything is fine . . . the candidate didn't want to change it more than 97 times . . . want to buy a used astronaut?"

Used astronaut. Overage space jockey. Moon cowboy. The biggest Boy Scout of them all. And: perennial candidate. These are the grey bugbears that stalk John Glenn's third try for the U.S. Senate, catch phrases that range from half-truths to plain inaccuracies. For the record, let it be known that John Glenn never was an official Boy Scout and has never been within 235,000 miles of the moon. But in some respects the cheap characterizations do approach the reality of Glenn, now 52, first in war, first in space, the best known and least-elected candidate in the United States. And the unluckiest. And the most contumacious. In 1964, still radiant from three triumphant spins around the globe,

At right, *John Glenn today, at 52, campaigning for the U.S. Senate in Ohio.* Far right, *Glenn in his most memorable week: with fellow astronauts* (l. to r.) *Scott Carpenter, Don Slayton, Gus Grissom, Alan Shepard and Walter Schirra, three days after his historic triple orbit of the earth on Feb. 20, 1962; with President Kennedy on Feb. 23; with his wife and daughter and Vice President Johnson on Feb. 26; with U.S. Ambassador to the U.N., Adlai Stevenson on March 2.* Bottom far right, *Glenn campaigns with Robert Kennedy in 1968, a week before the Senator's assassination.*

PHOTOGRAPH BY BURTON BERINSKY



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he decided to return to his native Ohio to challenge the venerable Stephen M. Young, who first ran for the Senate about the time of The Wilderness campaign. But Glenn's bid never got off the bathroom floor; a freak fall knocked him into the hospital and out of the race—but not out of the mind of Senator Young, who never forgave the affront. Six years later Glenn gave it another shot when Young announced his retirement. Everyone thought Glenn was a shoo-in except the party regulars, especially those in the industrial areas of Ohio's northeast quadrant. Metzenbaum, a wealthy labor lawyer, lined up union leaders and spent enough money on television and radio ads to buy Libya. He won only 12 of 88 counties, but nine of them were among the state's 11 most populous counties, and he took the Democratic primary from Glenn by 13,000 votes. Metzenbaum's subsequent thumping by Robert A. Taft Jr. in the November election was no consolation to the shattered astronaut. He had trusted in God, down-home virtue, the American way, and the fact that he had never before lost anything.

Glenn took his lumps like a good gyrene, though, and set about joining the Ohio Democratic fraternity rather than trying to beat it. He chaired the Citizens for Gilligan Committee to help Jack Gilligan—the man who is his friend when it is expedient to be—become governor of Ohio. He headed up the Buckeye Executive Club, a blue-ribbon Democratic organization and was instrumental in setting up the Environmental Protection Agency, the state's newest cabinet post. Says Glenn: "I don't think anyone besides the governor has spoken at more J-J [Jefferson-Jackson] dinners or fund-raising events. When Gilligan ran for governor, I did more TV spots for him than anyone else, and he knew it. What's more, I know from polls and ratings that I came across well on TV."

Now, after all that dreary stumping (which he despises at the bottom of his Presbyterian heart), after all the Babbitts and the bromides, after countless stacks of rubber roast beef and whole arsenals of grapeshot peas, John Glenn is, to scramble a couple of metaphors, right back in the Ohio Democratic doghouse and running with back to the wall against a rump incumbent—the very same Howard Metzenbaum. Four days after the close of Glenn's opening campaign tour and two days after the U.S. Senate approved the appointment of Ohio's William Saxbe as attorney general, Governor Gilligan of Ohio bypassed a man he likes and admires, John Glenn, and appointed a man he dislikes and mistrusts, Howie Metzenbaum, as U.S. senator pro tem. Why? The reasons had surfaced as the Glenn team rolled across the highways of Ohio.

"Everything is fine," said Glenn's aide. "The candidate didn't want to change the speech but 97 times. Want to buy a used astronaut?"

MONDAY. Glenn looks sharp as he strides through the Cleveland hotel lobby toward his news conference: double-knit blue suit, print tie, the reddish-blond hair is thinner than ever, especially up front, but at least the cut no longer crew. With him are his wife Annie, his daughter Lyn, 26, and son David, 28. The conference is small, almost entirely local press, and Glenn handles it with cool confidence; he has been on a podium or two in his time.

I don't know about anyone else, but my favorite words these days are *paranoid* and *charismatic*. John Glenn is neither. His responses to questions are muted, reasoned, without offense but without the pulse beat of good political theater. The reporters are more interested in the money angle of Glenn vs. Metzenbaum than the substantive issues on which Glenn is determined to build his campaign. Glenn lights on a theme he will repeat throughout the week: he could have been a millionaire several times over but chose instead to serve his country, refused to endorse products like some astronauts we know. He manages to slip in the results of an October poll that showed he would have won the Senate seat had the election been held the next day.

So saying, Glenn and family dive into the campaign with a walking tour of Public Square. Volunteers are paving the way by distributing campaign literature to the windblown shoppers, who are not as enthusiastic as the Glenn team might like them to be. "Hi. Come meet John Glenn, running for U.S. Senate." One young man wants to sign on. "Great!" Glenn exclaims, friendly, nice smile, good grip. "We can use all the help we can get."

Later, while Glenn tapes a television interview, the rest of us board a custom-decorated bus which will be our home for the next week. The bus looks like a first-class jetliner lounge and has a TV, stereo, telephone, cushioned sofa, chairs, bar, refrigerator, mimeo machine and electric typewriter. The bookshelves at the rear contain a curious cross section: phone books, *Airport, Tropic of Capricorn, Nymphs and Other Maniacs, Norma Jean, Congressional Quarterly, American Aphrodite, The ABC of Contract Bridge,* and as in all occidental libraries, your basic 2,500 Indian lovemaking positions.

The main stop this afternoon is the U.S. Steel plant in Elyria to catch the unhappy faces emerging from the smoke at 3 p.m. Glenn is not getting much of a response, but he endures a couple of I-met-you-on-the-moon's, stays cheery and finally begins to score rather well. Says one aide: "John is fantastic. He's the best-known figure since Bobby Kennedy. I only wish he were more of a pol."

A lot of people wish he were more of a pol,

Glenn shakes hands with well-wishers at a senior citizens' center in Akron.

but John Glenn is not one of them. His life has been underpinned by the American verities, and if he loves his government and its machinery, he is nothing shy of contemptuous of the men running it these days. "Politics should be the most honorable of professions," he says. "But what it often gets to be is quite opposite. To a lot of people, politics is an ego-building thing. They want attention, one way or the other. I'm certainly not trying for the Senate because of the honor. I've had all the honors I need. I really don't care if nobody ever recognizes me again.

"You see," he says, gazing out the bus window, "I'm basically rather shy." I didn't really need to be told this after watching Glenn screw himself up to perform pol ploys. "I respect people's privacy. Maybe it's because I've had so little privacy all my life.

People have a right to eat or shop or whatever they want, and I feel that when I intrude I'm going where I'm not wanted; I don't like to impose myself on them, but that seems to be what our political system is all about. I have enough empathy for people and their privacy that I don't like to interrupt, but if you don't you're not a good politician. How do you explain an anomaly like that?"

Governor Jack Gilligan could explain that easily: you intrude and you pump their hands and kiss their children and slap their backs till they, by God, love you for it whether they like it or not. And there, in a nutshell, lies the unbridgeable difference between Glenn and Gilligan: the governor is an Old Pro, savvy and practical, and so is Howard Metzenbaum; Glenn, for all his admirable traits, is a dreamer; worse, a rube, a hick. Gilligan may not care for Metzenbaum. Indeed Gilligan fired Howard from his 1968 gubernatorial campaign staff, but Gilligan knows as well as anyone around that liking someone and needing him politically are often two very different matters. Gilligan probably spoke for all old pros everywhere when he said, "There are a lot of people in politics whom I must meet on the street, and whose hands I must shake, whom I would not necessarily recommend for the College of Cardinals."

To grasp why Gilligan needs Metzenbaum so badly, it is necessary to understand Ohio politics. First, the state is almost evenly divided between Republicans and Democrats. However, the divisions go deeper than that; they are rooted in the fact that Ohio lies square between the industrial Northeast and the fertile Midwest. Hear John Glenn on the subject: "If there is one state in the union that has a little of everything of America in it, it is Ohio. There are liberals and arch-conservatives, a wide spread in ethnic and religious groups, strip-mining areas in the East and, to the West, some of the richest farming land in the country."

There is also some of the biggest business in the country: Proctor and Gamble down in Cincinnati, and the Timkin in Canton and, in Akron, the Seiberlings and Firestones and all those beneficiaries of young Charlie Goodyear's accidental discovery of a process known as vulcanizing. They are joined on the Republican side of the ledger by the God-fearing tillers of the soil down south. "Briars," they are tenderly called, and they tend to be crimson of neck, suspicious of the blacks and third-generation urban Irish and Poles and Hungarians who populate the factories of the North. The factory workers, meanwhile, form one of the strongest labor blocs in the country, and their vote for Nixon was a momentary aberration; your basic Ohio blue-collar saloon is likely to feature a portrait of the sainted John Kennedy alongside photographs of the sainted Cleveland Browns.

Enter Howard Metzenbaum, a Cleveland labor lawyer for the past 25 years. That's a quarter-century's worth of political markers he's collected in the vote-rich northeast quadrant: Cleveland, Akron, Canton, Youngstown, Steubenville. Green Pastures it ain't, but it is a must for any Democratic politician if he is going to defeat any of the seemingly inexhaustible supply of Tafts that have been breeding in Republican Cincinnati for years. That is not John Glenn's turf. Never mind that an October poll showed him to be leading Metzenbaum with the union rank and file. Metzenbaum has a lock on most of labor's leaders, and that has always been all that counted. Further, Metzenbaum controls 11 influential newspapers in the Cuyahoga County suburbs around Cleveland.

Now, John Gilligan is a man of towering ambition who needs a solid reelection victory next November to thrust himself onto the national political scene. So he sat down earlier this year with his general staff and mapped out the ideal ticket. Let Metzenbaum run for the Senate seat he has insisted on having, and John Glenn could run for—lieutenant governor!

Glenn was not buying. He sees himself as a national figure. But Gilligan was just as determined to pursue as Glenn was to resist. He offered Glenn an open shot at the 1976 senatorial seat with full support of the party machinery. On the other hand, if he did not play ball, Glenn was told, the 12 top county chairmen had agreed to oppose his senatorial candidacy. Glenn still said no and confronted Gilligan himself. At that meeting Gilligan admitted to Glenn, "Howard Metzenbaum is interested in just one person– Howard Metzenbaum." But Gilligan also said, gently, that he wanted Metzenbaum to be senator and Glenn to be lieutenant governor. Says Glenn: "I warned him that we were either going to come to a peaceable agreement or I was going to come out swinging. The governor's people evidently thought I was going to knuckle under, but I didn't."

Glenn went before the Democratic State Executive Committee and accused Gilligan of "trying to stamp me into political mud." That may be precisely what occurred to the riled governor after Glenn dragged party dickering into the spotlight. Still, Glenn fully expected that his move would force Gilligan to appoint a neutral to the Senate post vacated by Saxbe, to appoint a caretaker.

TUESDAY. Andy Vitali snaps shut his 300-page outline of the campaign week, complete with schedule breakdowns, routes, contacts. At 35, Vitali is one of the sharpest political minds in the East. A native of Massachusetts, Andy was blooded in the John Kennedy campaign in 1960, spent six years as executive assistant to Teddy. Andy is the Glenn campaign manager, brought in by Matt Reese of Reese, Whelan, Nace and Murphine, the high-powered Washington political consultants hired by Glenn to run his campaign. This time, unlike the '70 campaign, there would be no amateurish bungling, no hick stuff. A professional effort, that was what John Glenn needed. A well-lubricated political machine that would impress the county leaders.

The bus swings out of Toledo toward Findlay. Andy is in a good mood; 1,500 hands had been shaken at 6 a.m. at the Toledo American Motors plant. "We're leaning heavily on issues," Andy says. "Campaign reform, health insurance, social security reforms and other assistance for the elderly, and of course energy." Of course, energy. John will tell them everywhere, and they will listen and nod, that lawyers do not understand how to deal with something like the energy crisis. The crisis is without precedent, he tells them, and the lawyer's trade is predicated on precedent. Lawyers don't understand how to choose among the priorities, and we can't afford to make a mistake. But years of study in the field of engineering and space technology ah. . . .

> "I'm basically rather shy. I respect people's privacy. Maybe it's because I've had so little. . ."

Andy talks about the disastrous 1970 campaign. "John may have had an unconscious problem, sort of assuming that just because people said, 'He's a great guy,' that they were going to work and vote for him. He's criticized for not being a professional politician, but he's had his lesson in American politics."

Perhaps. At the Fort Findlay Shopping Center, Vitali is accosted by one of his most valuable aides, Doug Ash, 29, a classic hard-drinking, hard-working Irishman and the only full-time Matt Reese employee on the payroll. "I need help getting the candidate out of these places," Ash pants. His breath forms a funnel of steam in the cold. "I'm on one arm, but I need someone on the other arm to get the candidate's feet three inches off the ground. Damn, he talked to one woman who asked, 'Do these space shots really cause all the flooding we've been having?' Jesus, we've got to knock off the issue discussions on these walking tours."

Out of Findlay, Andy emphasizes the need to project Glenn as a serious candidate. It is a touchy question with Glenn; he has studied the issues carefully both in 1970 and this year, but in '70 Metzenbaum euchred the public into believing otherwise. Tactically, Andy says, they must win people in the cities, get on TV, get some money. Matt Reese has decreed that $605,000 is rock bottom for the Glenn campaign; Metzenbaum spent closer to $1 million last time. Warren Baltimore, another Old Pro, financial branch, rings in: "Metzenbaum ran before as an unknown. That is sometimes easier. Now he's known." He nods sagely. Adds Andy: "I've got a pretty good gut, and it tells me he can take Metzenbaum. If he can, he will fit into that Senate club very quickly. When it comes time to play on the team, well, you play on the team, and John has had experience with that sort of thing . . . let's face it, a military hero and an astronaut who is also a liberal Democrat has a lot going for him."

Just how a Marine officer from a small midwestern town got to be a liberal Democrat is hard to say. Perhaps the hard fact of the WPA once saving the family mortgage left a certain impression on John Glenn. He grew up in New Concord during the Depression; he was a green-eyed, freckled young character straight out of Twain. He would do everything such a Central Casting American lad was supposed to do. No Boy Scout troop in New Concord? Glenn and his pals organized their own version, the Ohio Rangers, complete with merit badges and a rigorous list of requirements. He played football, sang in the church choir, ran around town in a jalopy emblazoned "The Cruiser," with Annie, his first, last and always Best Girl.

The candidate works on while his wife, Annie, gives in to her exhaustion.

He graduated from the local high school in 1939 (the new building is named John Glenn High) and stayed home to attend Muskingum College. He took flying lessons in his spare time and, after Pearl Harbor, signed on for Naval flight training. Before he won his wings, however, he opted for the Marines.

"The Marines had been in the thick of things early in the war," he remembers. "I liked that and I liked their reputation. You see, my home town was a real-life version of *The Music Man.* Everyone, including my dad, took patriotism very seriously. We really celebrated Armistice Day and Memorial Day, with Annie and myself marching in the band. I believed very deeply in such things from my earliest days, and I joined the Marine Corps because that was the place to let it all hang out for your country."

Glenn did that, all right. He married Annie after receiving his wings, then moved smartly to war. Operating mainly in the Marshall Islands, Glenn flew 54 missions, blasting hell out of the Japanese resupply efforts at Kwajalein and Majuro. He is no war lover, but he loved flying and loved serving his country, and after the war he signed on for a career in flight in the coming jet age.

Korea marked his first brush with heroism. He flew 90 combat missions there, 63 in fighter bombers, "deep interdiction stuff." He got a chance to fly the Air Force's speedy new F-86s toward the end of the war and shot down three MIGs in the last nine days. He was jokingly referred to as the "MIG-mad Marine," and also as "Old Magnet Tail" for the tons of flak that he caught. He was hit seven times in all; once he limped home with 300 holes in his craft. John Glenn is always earnest, but he is more earnest than usual when he says, "Whatever life I have left is all gravy."

THURSDAY. We are all reeling from crisscrossing the state night after night, fugitives in a customized getaway bus. We've hit Lima and Piqua, where a slightly beery Santa Claus told Glenn, "I shoot dat Goddam Nixon." We've been to Stumps Supermarket in Dayton (Wilbur Stump, proprietor), and the plant gate at Youngstown Sheet & Tube, clear across the state, by 6 a.m. the following day. Wednesday, there was a walking tour of Steubenville, where a large, enthusiastic crowd gathered in front of the Eva Gabor Wig Boutique. "John Glenn!" a young black girl cried. "My main astronaut!" Said one local pol: "This is the best thing Glenn could have done here. It's just what he didn't do the last time." Later Doug Ash said, "When we got in here, there wasn't even a list of contributors from the last campaign. Last time he registered 95 percent recognizability in the polls, but his base was a mile wide and an inch deep. We're trying to make it a foot deep. He's a good man, but he's got to knock off things like stopping at that mall earlier today to buy fudge." Fudge? *Fudge*. Sweet Jesus.

On the Thursday morning ride to Akron the team discusses a story in the Dayton *News,* largely favorable, calling Glenn "Ohio's No. 1 Eagle Scout." Andy Vitali comments, "I don't think there's anything wrong with that Eagle Scout stuff this time around."

Akron is important. Pete Baumerito, president of the United Rubber Workers International, is one of the few labor chieftains in Glenn's camp, and John acknowledges him by praising him several times in a speech before a Citizens-for-Glenn gathering at the Holiday Inn. Warren Baltimore has to practically drag Glenn out of there, and they joke on the bus. "What are you trying to do to me, Warren? I've got a hot crowd hanging on every word, old ladies weeping in the back row, 30,000 people rushing out to volunteer, and you want me to cut and run."

Thursday night we strike out from Canton to Cincinnati at 11 p.m. Glenn is scheduled to meet with a group of independent gas dealers Friday morning, touch base at all-black Wilberforce College later and then spend the better part of Saturday on a walking tour of New Concord. He is a trifle preoccupied however; he has heard the first of the rumors that Gilligan is going to appoint Metzenbaum to the seat, after all.

Glenn's work as a test pilot, notably his record-setting cross-country run in the F-8U, earned him a crack at the NASA program. He was the perfect astronaut; he couldn't have been better if NASA had chiseled him out of marble. As the eldest of the nation's original seven spacemen, and clearly the straightest, Glenn counseled temperance and forbearance in all

things to the roustabout young jet jockeys. Says Glenn even now: "We had the opportunity to conduct ourselves so as to set an example for millions of youngsters for years to come. What were we to do with a responsibility like that? See how many bars we could hit?"

On February 20, 1962, he orbited the earth three times, taking over the controls when they went awry, and splashed down five hours later in the Atlantic to find that he had become one of the country's all-time all-Americans. He handled the adulation as an authentic humble American frontier hero, carefully including his fellow astronauts in that most famous of Broadway ticker-tape parades, parceling out credit in that most famous of speeches before Congress.

The Kennedys, of course, were not about to pass up a gem like Glenn. He swam with them and skied with them and backpacked with them and canoed with them; he was there campaigning years later when Bobby was shot.

Glenn's first trip into space was also his last. He was sure he would be too old for the moon; it was time to try something else. So he returned to Ohio to challenge Young but cracked his inner ear and was forced to retire from the race. He took a job as director of the Royal Crown Cola Corp., bought into several Holiday Inns and generally proved himself an able businessman. But a Holiday Inn is not an F-86 limping home cross-stitched with shrapnel, so he waded into the 1970 campaign and staggered out $10,000 in personal debt with a tag on him that said "Loser." And that hurt.

SUNDAY. John Glenn proudly shows off his handsome new home in Columbus. It is filled with the past, with memorabilia of the '50s and '60s, tokens of shootouts, totems of man's first tentative steps into the universe. Also, his father's World War I bugle and a replica of El Cid's sword presented to Glenn by the good people of Toledo, Spain, and a pair of gold Chintah birds from the Burmese and the tusk of an elephant shot in Africa and a plate from Willie Brandt and, in the bathroom, a picture of a NASA spacecraft with the logo, "For every problem, a solution."

As we chat, the calls start trickling in. The word is out all over that Gilligan will appoint Metzenbaum. "There's very little comment I can make, now or later," Glenn says into the phone. "I'm in this thing all the way, and I'm just going to run the best, the cleanest campaign I know how."

Once away from the phone, though, the frustrations start to seep through. Glenn is aware that he could win many elections in many places in the nation, but that he may be thwarted from sitting in Congress by the exigencies of Ohio politics. It infuriates him to see Howard Metzenbaum going off to Washington where he feels he, John Glenn, belongs. Glenn startles me with two expletives I would have bet any money he never used.

"John's a good man," said the aide, "but he's got to knock off things like stopping to buy fudge"

Then he calms down and reflects: "The bond between the people and the elected leaders in this country is a sacred trust and without that trust, we're in trouble. We were brought up to believe that if you worked hard and did the right thing, you could carve a decent life for yourself. Now people feel that their lives are slipping away from them, that events control them rather than the other way around. This is made even worse when they see that they are being lied to, when mendacity and duplicity are refined to a high art as they are now in Washington. Well, I've devoted my life to the service of my country, and I feel I can still serve her well now. I've lived my life on principles of honesty, decency and integrity, and I'm proud of it." He pauses and lights his pipe, but his face is still tight. "I know I sound awfully red, white and blue," he says, "but that's the way I feel, dammit. That's the way I've always felt."

John Glenn's run at the Senate harks back to . . . well, to Jimmy Stewart in *Mr. Smith Goes to Washington*. Perhaps he is an anachronism. He understands the dissatisfaction of the American people, but he understands it in a different time reference. However disillusioned we are about the American Dream, John Glenn is not. After all, he fulfilled it on its own terms, gossamer myth though it may have been. He worked hard, he honored his father and mother, he fought valorously for his country, and he was rewarded.

The nature of the reward is key. Glenn stood, for a shining moment in time, alongside Crockett and Lincoln and Lindbergh as an all-wool, yard-wide, red-blooded American Hero, in the largest sense of the word. He has already been to the top of the mountain (or, literally, the edge of the universe) and back down. He is a pre-Kennedy-Assassination figure, a giant of the '50s and early '60s somehow lost in the roil and rant of the '70s. And while he does not dwell in the past, he may well be trapped by it. After all, what is harder than to be an ex-Hero?

For years, most people I know would have been embarrassed just to *hear* some of the things John Glenn says about God and the flag, much less *say* them themselves. And yet, as he has campaigned so far in the roar of Watergate, Glenn has begun to reflect a spirit of New Patriotism that is suspiciously like the Very Old Patriotism that was buried last decade in assassination and fear and muddy wars. John Glenn may indeed be the biggest Boy Scout of them all; but then, in politics, 1974 may very well be, above all, the *year* of the Boy Scout. ●

NEW TIMES Future Events CONTEST

A questionnaire that could make you a little richer

A hitchhiker, his face buried in crinkly hair and his body covered by overalls he didn't earn, emerged from a VW bug at the Hyatt House on the Strip in L.A., glared at the driver and said, "If you didn't eat meat, you'd see it." Perhaps. But to help *you* see what's ahead in '74, to help you get hold of yourself, to allay the dark mood, to clarify your vision of the future and reward you, we've put together a quiz. Do it. Take this test; do it all at once or go slowly—consume weeks. It will be therapeutic and perhaps you will win a prize.

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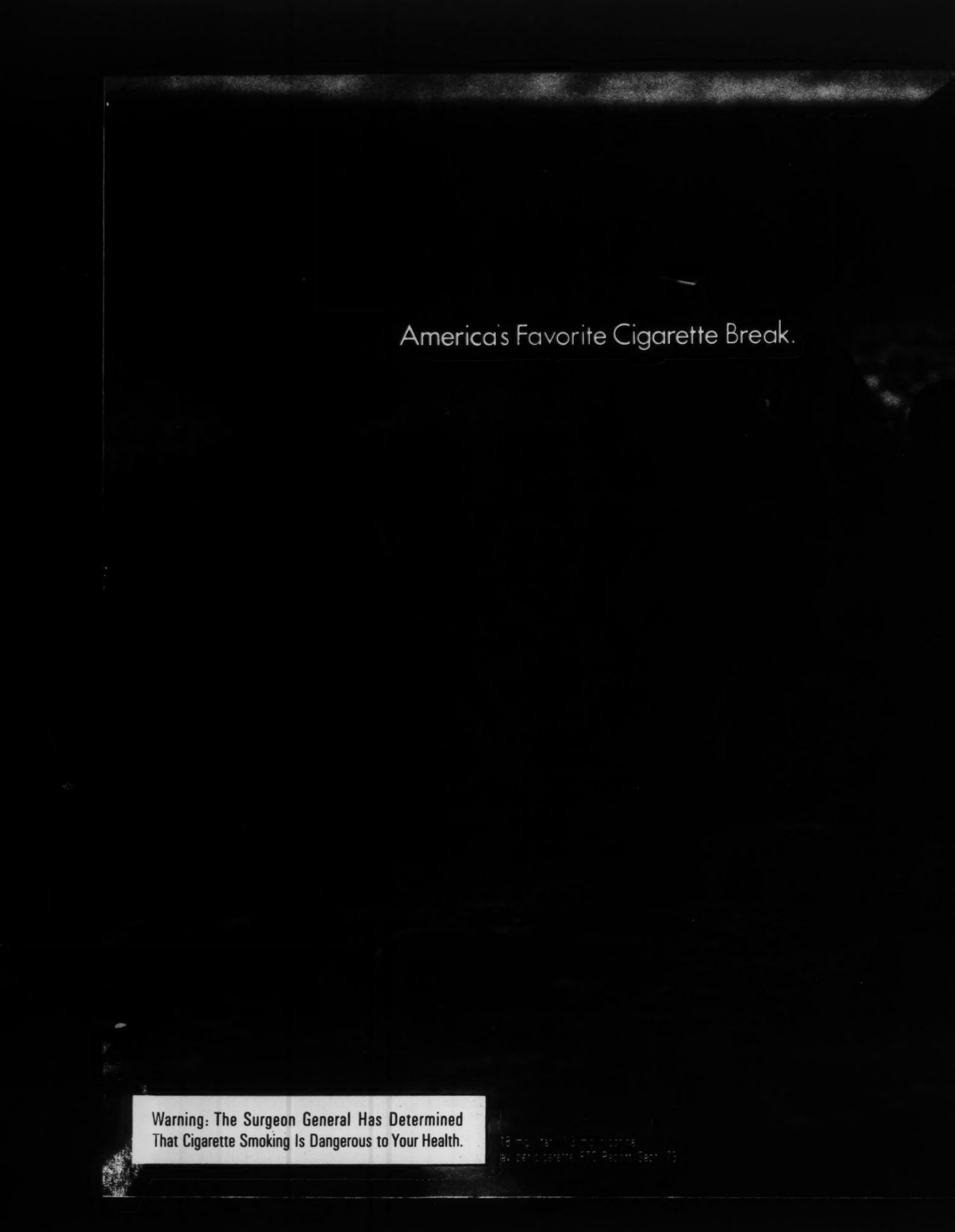
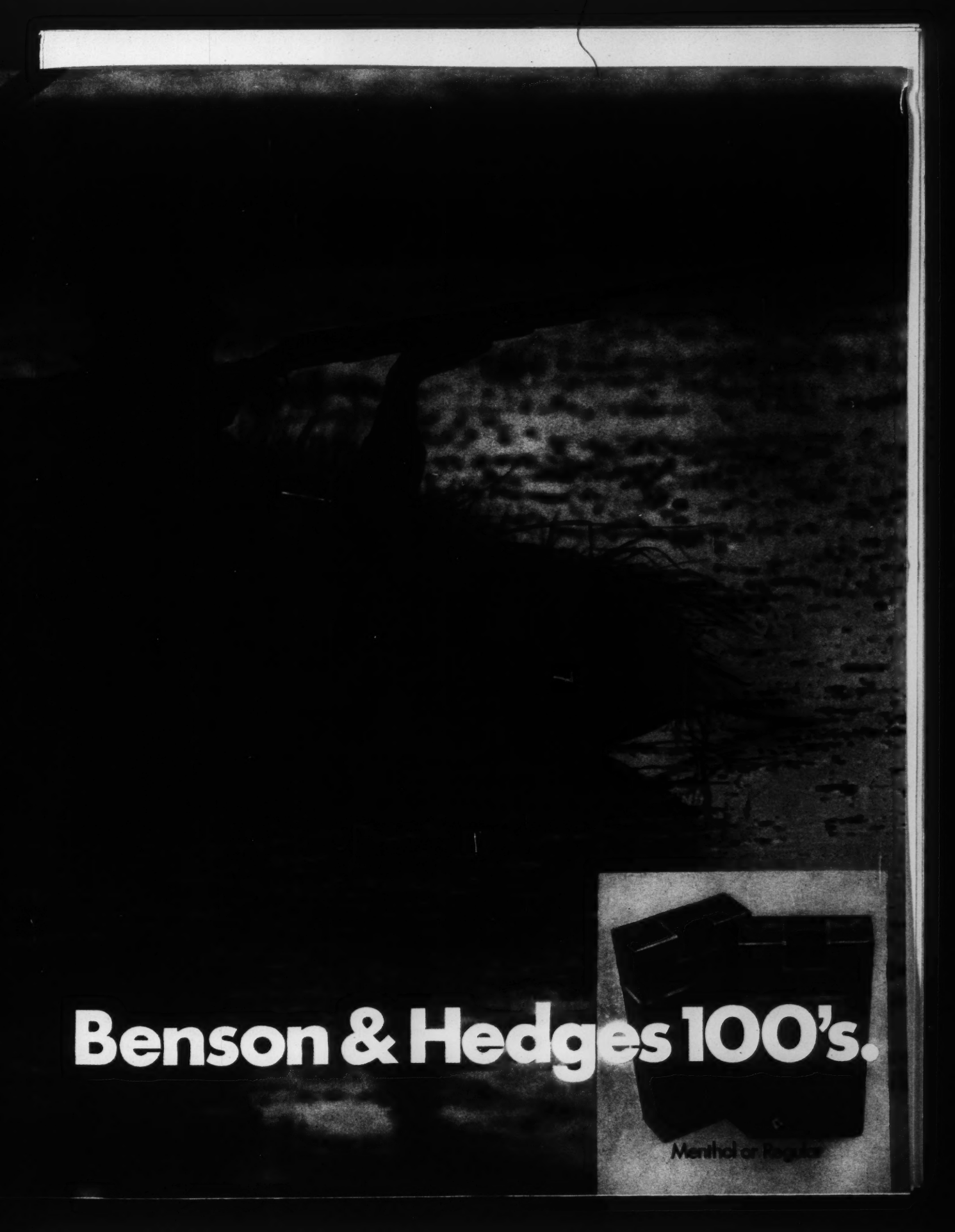

America's Favorite Cigarette Break.
Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.


Benson & Hedges 100's.
Menthol or Regular

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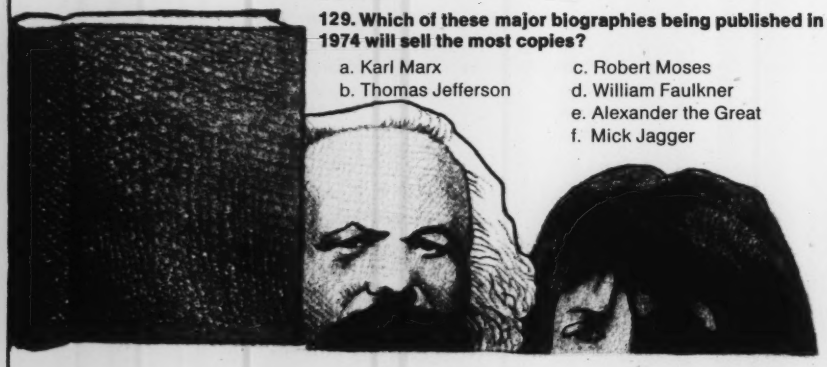

BOOKS

129. Which of these major biographies being published in 1974 will sell the most copies?

a. Karl Marx
b. Thomas Jefferson
c. Robert Moses
d. William Faulkner
e. Alexander the Great
f. Mick Jagger

SPORTS

89. Who will be coach of the Washington Redskins at the end of 1974?

a. George Allen
b. Steve Allen
c. Woody Allen
d. Richard Nixon
e. None of the above

Among the following, who will retire in 1974?

90. Al Kaline
91. Juan Marichal
92. Oscar Robertson
93. Gordy Howe
94. Bobby Hull
95. Jerry West
96. Johnny Unitas
97. George Blanda
98. Willis Reed
99. Vida Blue

Who of the following will George Foreman fight in 1974?

100. Muhammad Ali
101. Ken Norton
102. Joe Frazier
103. Leonard Woodcock
104. Billie Jean King
105. James Earl Jones

BONUS

106. How many home runs will Hank Aaron hit in the 1974 season? _____. (Plus or minus three is in the ballpark.)

FINAL TRIBUTE

Which of these will be outlawed by Congress in 1974?

150. Handguns
151. Campaign contributions of more than $2,000
152. Explicit sexual scenes in films
153. Credit card carrying charges

THE SEVENTIES

Which of these countries, if any, will legalize marijuana in 1974?

121. United States
122. Sweden
123. Canada
124. China
125. Turkey

MOVIES

127. According to *Variety's 1974* year-end tab the highest grossing American movie of all tim

a. The Godfather
b. The Godfather Part II
c. Gone with the Wind
d. Billy Jack
e. None of the abo

128. The Academy Award for Best

W TIMES
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tabulation,
time will be:

above

TOP OF THE NEWS

Of the following, which ones will still be in the cabinet on December 31, 1974?

1. Henry Kissinger
2. James Schlesinger
3. Claude Brinegar
4. Earl Butz
5. Caspar Weinberger
6. Frederick Dent
7. Peter Brennan
8. George Schultz
9. Rogers C.B. Morton
10. James Lynn
11. Roy Ash

Who will be in jail on December 31, 1974?

12. Maurice Stans
13. Dita Beard
14. Robert Vesco
15. Rose Mary Woods
16. Bernie Cornfeld
17. H.R. Haldeman

Who will *not* be in jail on December 31, 1974?

18. Clifford Irving
19. G. Gordon Liddy
20. Sirhan Sirhan
21. William Calley
22. Tony Boyle
23. Charles Manson

24. How many people will be U.S. Attorney General in 1974?

a. One b. Two c. Three d. Four or more

Who will still be head of state at the end of 1974?

25. Golda Meir
26. Juan Perón
27. Edward Heath
28. Georges Pompidou
29. Pierre Trudeau
30. Nguyen Van Thieu
31. Richard Nixon
32. "Baby Doc" Duvalier

POWER POLITICS

Of the following, who do you think will *not* run for office in 1974?

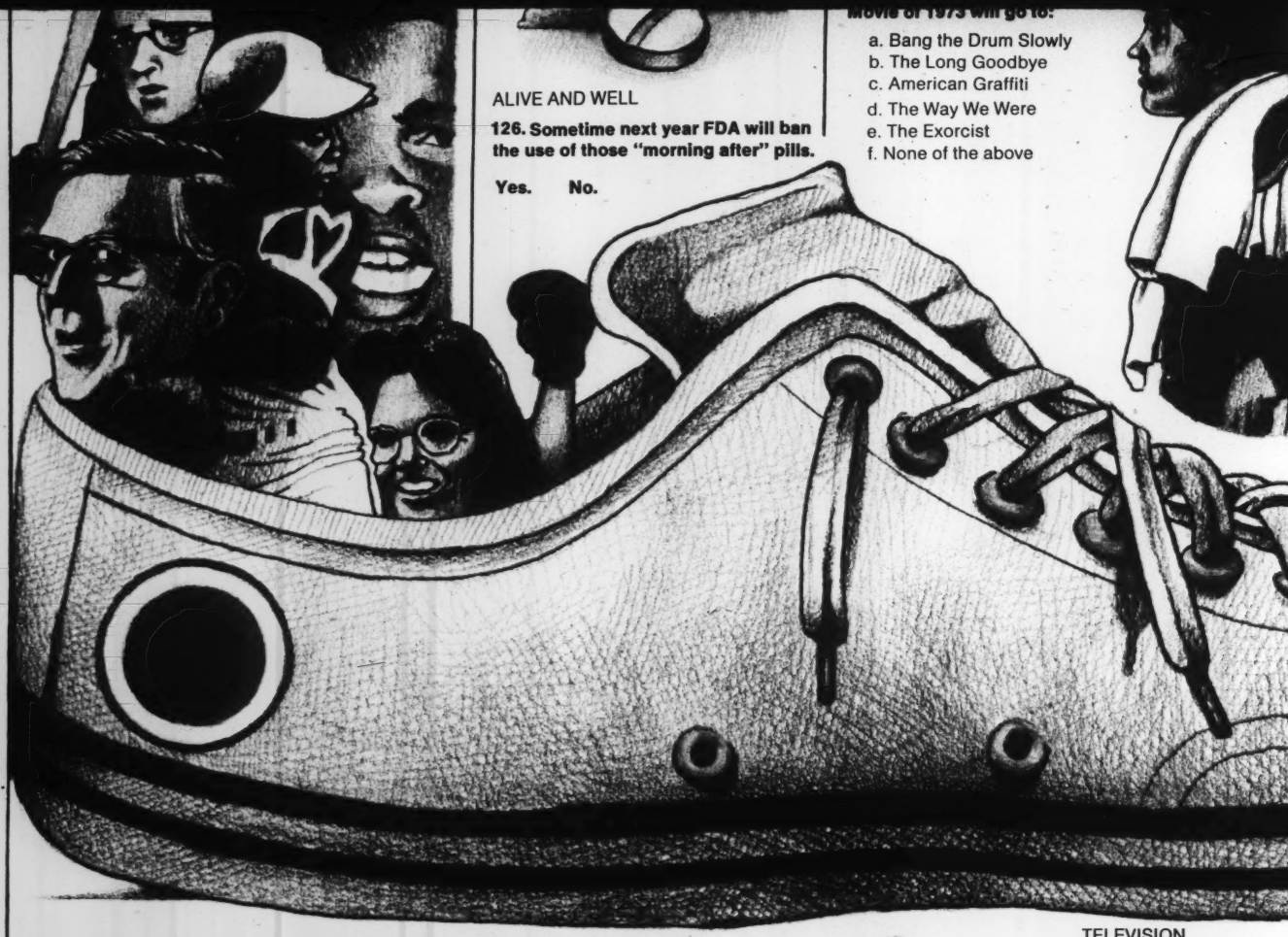
33. William Westmoreland
34. Peter Falk
35. John Lindsay
36. William Ruckleshaus
37. Bill Bradley (N.Y. Knicks)
38. Cornelia Wallace
39. Howard Cosell
40. Dr. Hunter S. Thompson
41. George Beall
42. Bess Myerson
43. Robert Finch
44. Bob Moretti

Who do you think will be elected to office next year?

45. George McGovern
46. Sam Ervin
47. 'Vinegar Bend' Mizell
48. John Glenn
49. Ron Dellums
50. Barry Goldwater, Jr.
51. Paul McCloskey
52. Gary Hart
53. Howard Samuels

BONUS

Bill Nelson



ALIVE AND WELL

126. Sometime next year FDA will ban the use of those "morning after" pills.

Yes. No.

Movie of 1973 will go to:

a. Bang the Drum Slowly
b. The Long Goodbye
c. American Graffiti
d. The Way We Were
e. The Exorcist
f. None of the above

THE BOTTOM LINE

BONUS

107. In 1973, according to the U.S. Department of Labor, the cost of a Thanksgiving Dinner for a family of four was $6.50. In 1974 it will be $_____. (Within a nickel is on the money.)

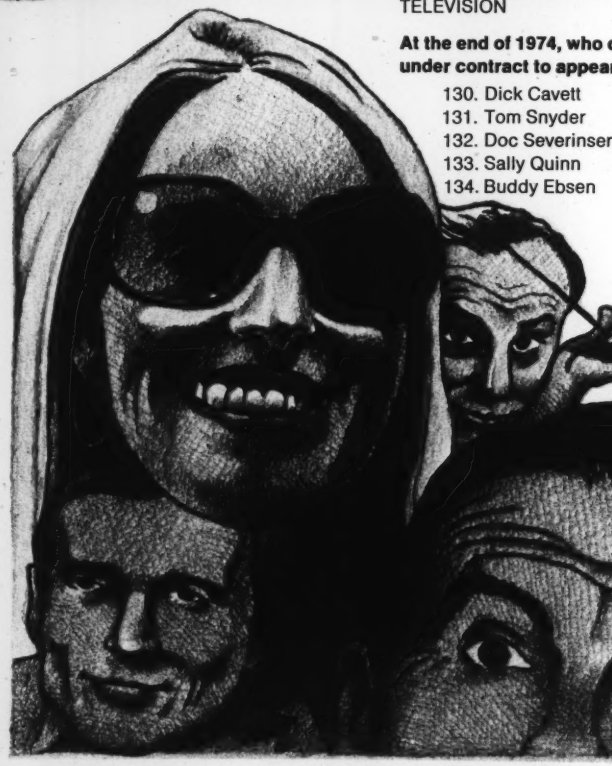
BONUS

108. The Dow Jones Industrial Average at the close of trading in 1974 will be _____. (Within ten points up or down.)

OFF THE RECORD

Of the following publications, which will *not* survive 1974?

109. Saturday Review/World
110. Viva
111. New Times
112. Rolling Stone
113. Intellectual Digest
114. Zoo World
115. The National Geographic
116. The Great Speckled Bird
117. Ms.
118. Playgirl
119. Coq
120. The Saturday Evening Post



TELEVISION

At the end of 1974, who
under contract to appea

130. Dick Cavett
131. Tom Snyder
132. Doc Severinsen
133. Sally Quinn
134. Buddy Ebsen

ILLUSTRATION BY BILL NELSON HAND LETTERING BY STEVE PHILLIPS

54. The Democrats will gain _____ Senate seats in 1974. (only exact answers, folks!)

THE WORD

Who of the following will marry in 1974?

55. Richard Burton
56. Elizabeth Taylor
57. Joe Namath
58. Alice Cooper
59. Bobby Fischer
60. Bette Midler
61. Martha Mitchell
62. Marlon Brando
63. John Tunney
64. Robert Dole
65. Dominique Sanda

Who'll get a divorce in 1974?

66. Taylor and Burton
67. "Fast Eddie" Cox
68. John Mitchell
69. Jackie Onassis
70. Princess Anne
71. Maureen Dean
72. Linda McCartney
73. John Ehrlichman
74. David Bowie
75. Yoko Ono
76. Merrill Osmond
77. Mao Tse-tung

Who of the following will appear in TV commercials in 1974?

78. Ronald Reagan
79. Gore Vidal
80. James McCord
81. Alice Playten
82. Rudolph Nureyev
83. Evel Knievel
84. Willie Mays
85. Spiro Agnew
86. Chet Huntley
87. Linda Lovelace
88. Archibald Cox

o of the following will be ear on TV?

135. Howard K. Smith
136. Rona Barrett
137. David Cassidy
138. Ozzie Nelson
139. Rodney Rippey
140. Jack Paar
141. Fred MacMurray

MUSIC

142. The C.M.A. (Country Music Association) "Entertainer of the Year" award for 1974 will go to:

a. Lynn Anderson
b. Tammy Wynette
c. Johnny Rodriguez
d. Waylon Jennings
e. Charley Pride
f. Donna Fargo
g. Tom T. Hall
h. None of the above

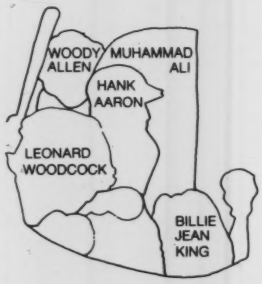
143. According to Sam Goody's shoplifting statistics, who of the following will be highest on the "ripped-off" list during 1974?

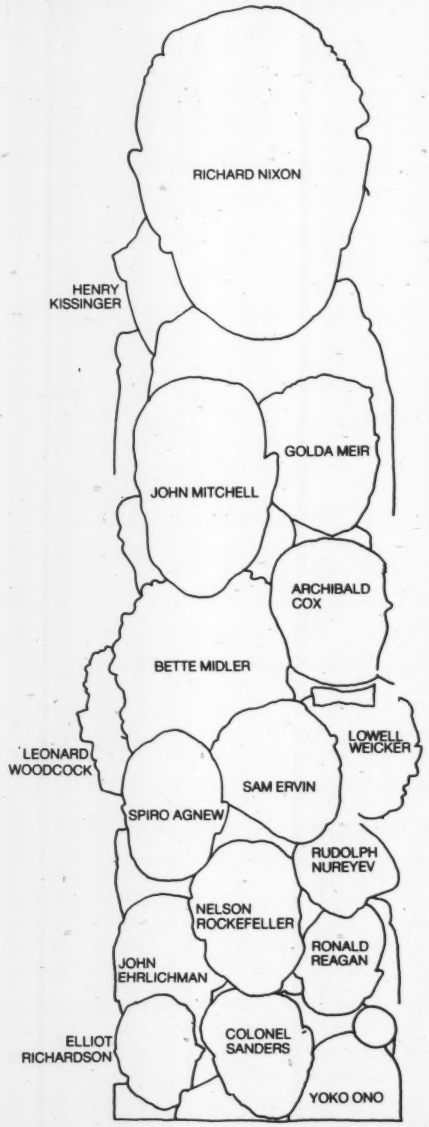
a. Bob Dylan
b. Bette Midler
c. The Rolling Stones
d. The Who

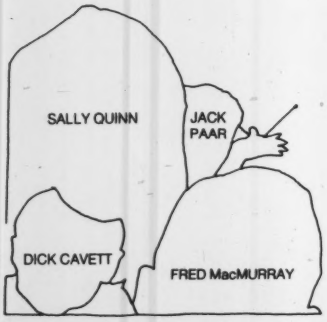
John Wayne and Sam Ervin cut record albums during 1973. In 1974 they will be joined by:

144. Frank Sinatra
145. Colonel Sanders
146. Lowell Weicker
147. Mother Truckers
148. Charles O. Finley
149. Elliot Richardson

NEW TIMES future events CONTEST







The Grand Prize:

A year's supply of Farmer's Market peanut butter
Two bushels of Stark's Delicious apples
A $50 win ticket to be placed on the horse of your choice in the Kentucky Derby
A gross of Eberhard Faber Blackwing pencils (For the *real* pencil freak)
23 autographed books written by NEW TIMES Contributing Editors
102 date shakes or the cash equivalent
A Richard Nixon effigy
38 dollars in Confederate money
His and Ms. life jackets for a trip down the Chattooga River
Autographed picture of Mark Spitz
An Eddie Egan ankle holster
One cutting of a bristlecone pine
Mrs. Miller's Greatest Hits
A half-gallon of Beverly Hills water
A 78 recording of Bing Crosby's *White Christmas*
One Smithfield Virginia ham

Eat Your Heart Out:

Because of shortages, the following prizes won't be given out this year:
Eight days in a suite at the Las Vegas Grand Hotel with one honest politician
One night at Hef's (in Bel-Air)
A catfish dinner with George Wallace's press secretary
Two days off with full pay

Answer sheet
Future Events Contest

Instructions

Circle the letters and numbers you think will be correct and fill in the blanks where appropriate. Circle as many numbers as you feel will correctly answer each question. If none of the choices seems correct, do not circle any of them. In the case of questions with letters (24a, 24b, 24c. . .), make only one choice.

Each number, except for the bonus questions, counts for one point if it is correctly circled or correctly left uncircled. Bonus numbers count five points each if correctly answered.

Save the poster and keep track of your prophecies through the year. Mail the answer sheet—or a reasonable facsimile on parchment, terra cotta, oil cloth or any foolscap of your choice—to Future Events, NEW TIMES, One Park Avenue, New York, New York 10016. Answers must be mailed by midnight, February 15, 1974, to be eligible for the prizes. In case of a tie for the Grand Prize, the entry with the earliest postmark will be declared the winner. No employees of NEW TIMES or members of their families are eligible.

The entry with the highest point score will be awarded the Grand Prize. Those scoring between 140 and 149 will receive a one-year subscription to NEW TIMES; those scoring 150 or over will win a three-year subscription. All entries will be judged by the editors of NEW TIMES and the winners will be announced in the magazine early in 1975.

Top of the News
1 2 3 4 5 6 7 8 9 10 11
12 13 14 15 16 17
18 19 20 21 22 23
24a 24b 24c 24d
25 26 27 28 29 30 31 32

Power Politics
33 34 35 36 37 38 39 40 41 42 43 44
45 46 47 48 49 50 51 52 53
54 _____ (BONUS)

The Word
55 56 57 58 59 60 61 62 63 64 65
66 67 68 69 70 71 72 73 74 75 76 77
78 79 80 81 82 83 84 85 86 87 88

Sports
89a 89b 89c 89d 89e
90 91 92 93 94 95 96 97 98 99
100 101 102 103 104 105
106 _____ (BONUS)

The Bottom Line
107 _____ (BONUS)
108 _____ (BONUS)

Off the Record
109 110 111 112 113 114 115 116 117
118 119 120

The Seventies
121 122 123 124 125

Alice and Well
126 Yes No

Movies
127a 127b 127c 127d 127e
128a 128b 128c 128d 128e 128f

Books
129a 129b 129c 129d 129e 129f

Television
130 131 132 133 134 135 136 137 138
139 140 141

Music
142a 142b 142c 142d 142e 142f
142g 142h
143a 143b 143c 143d
144 145 146 147 148 149

Final Tribute
150 151 152 153

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

IF YOU THINK LAST YEAR WAS LOUSY...

A few words about '74—dark clouds, some silver linings and not a &@*%$# soul who can grant us total immunity

Scary New Year!

J.D. Watson,
Molecular biologist who shared a Nobel for work in genetic replication:

I think we'll be in a disaster until we get a President. The country doesn't have a government and that scares the shit out of me. And, until the country gets a government, we'll all be scared.

Abbie Hoffman,
Member of the Chicago Seven:

Nixon resigns because of a brain tumor. Ford heads caretaker government. Stories begin to appear saying Teddy not to blame for Chappaquiddick. Rockefeller pulls conservatives on strength of his image as Attica master, tough dope laws and simply because he has more oil than the Arabs. Nostalgia for the past will give way to living for the moment. There will be no saints or sinners, just winners and losers. America will be what it was meant to be, one big crap game—the only difference being that this time it will take place in the dark for the lights in Las Vegas will shine no more.

Theadora Van Runkle,
Prize-winning Hollywood costume designer:

I think in terms of the dire. People are realizing they're on this barge going nowhere. Our egotism is becoming so apparent. Obviously we're victims of interspace phenomenon. Anything could be coming at us.

Wilfrid Sheed,
Author and critic:

Orwell's 1984 seems to be just on schedule: the global shortages will presumably get worse, which means we'll soon be fighting like alley cats for the scraps (yes, even the lordly U.S.); depressions will breed dictatorships since only the very rich can offer freedom; and local politicians will continue to act as if they were in control of events, although events have *them* firmly by the seat of the pants. Actually, the multinational, which can buy and sell all the politicians they need, might have a better shot at coping with Superslump; but, as Milton Friedman says, a socially conscious company is probably cheating its stockholders; so don't look for much help from there.

Watergate may buy us a little time in one respect. Corruption will have to lie low, while everybody fig-

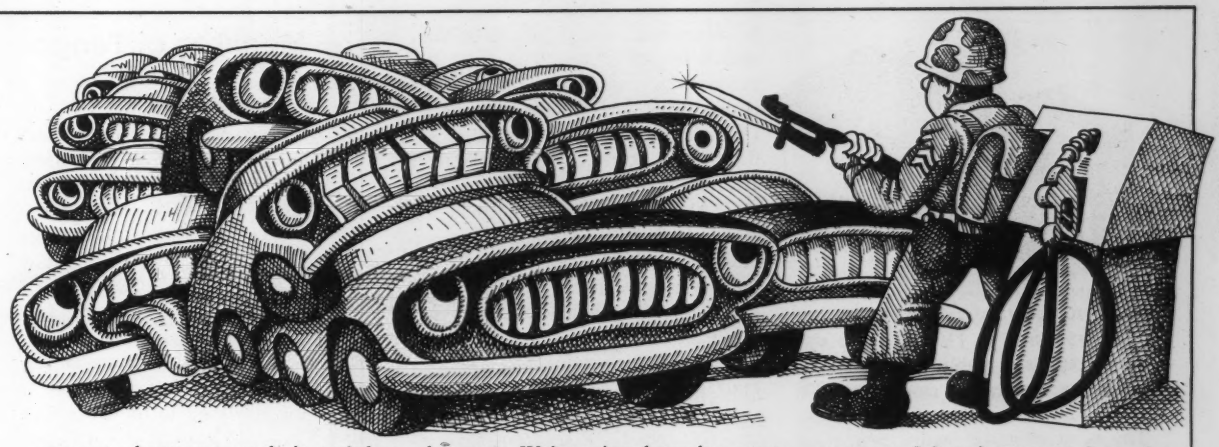


ILLUSTRATION BY MARTY NORMAN

ures out a better way to do it, and the air will smell a little fresher for a few days. There is, of course, much too much money up there with too much at stake for this to last, and the boys are probably working on a new improved Watergate right now. But a nation which actually suspects its masters of manufacturing an oil shortage and a war emergency is less gullible than some. And the clash between the latest styles in corruption and our battle-hardened investigative reporters should provide the finest in entertainment as the old ship goes down.

Paul Krassner,
Editor of *The Realist*:

In politics, they're gonna declare martial law, using the energy crisis as an excuse. In religion, Uri Geller and the Stanford researchers will be exposed as fraudulent. In sex, we're gonna learn about the myth of the penile orgasm. . . . Since James McCord has threatened to sue me for libel, I feel optimistic (about 1974) because that shows people still care about their reputations.

Harry Ashmore,
Pulitizer prize winner, head of the Center for the Study of Democratic Institutions, Santa Barbara, Cal.:

I think we're in for heavy weather with the energy crisis, higher unemployment and—this is the hell of it—higher prices. We've got "stagflation" in spades. The people are going to become increasingly depressed. Already they're cynical, perhaps despairing.

Yoko Ono,
Artist, musician:

I sense the dawning of an ESP age. The social structure is about to break down—you can see this with Watergate—and everything is going to hang out. We're going through a great repression now, but there's always the most terrible period before the dawning of a new age. It's like you have to fight the worst battle before you can win the war.

Lester Maddox,
Lieutenant Governor of Georgia:

I'm very concerned about the economy. I heard a report from the White House that we are approaching a near recession. Now that's a lot of stuff. It's an untrue statement. We're already *in* a recession. There's no escape from a leveling off period and no escape from spiraling inflation.

I hope the President can restore confidence in the country. But if he can't, I think he should place the interests of the country above his political aspirations. I think he'd make a hero of himself if he stepped aside. . . . Am I looking forward to 1974? I'm looking forward to the next five minutes. I'm looking forward to bathing and shaving, cussing and fussing. . . .

ILLUSTRATION BY CAROLYN BUCKLEY

The politics of clean

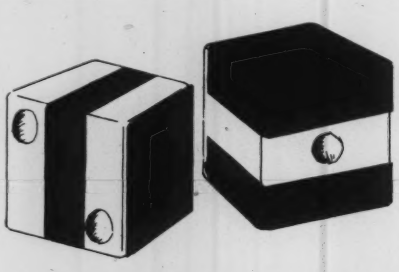
Richard Aurello,
Former John Lindsay campaign manager and deputy mayor of New York:

Candidates: Incumbents are generally in trouble whether they're Republicans or Democrats. The voter attitude is: if they've been part of the political system, they must be crooked; they just haven't been caught. Candidates will show greater independence, a more distant relationship to traditional party organizations. There'll be many more women candidates in major 1974 races, and they'll do well because voters believe women are less apt than men, to be on the take. Non-political "good citizens" will emerge.

Campaign Financing: Total disclosure will be the standard. No excuses will be tolerated by the press, the voters and Common Cause, which by November will be the most potent force in American politics. Disclosure will, for awhile, scare a lot of potential contributors, make fund-raising more difficult and reduce campaign expenditures.

Media: Less money means

ILLUSTRATION BY CAROLYN BUCKLEY



fewer major media campaigns, but more free time as TV and radio stations emphasize public responsibility. With lower rates for candidates, TV and radio will be used extensively. The most effective media campaigns will be direct, devoid of gimmicks. Candidates will be on camera, talking directly to viewers, with no phony locations or props.

Campaigning: Eye-to-eye campaigning will dominate the scene: lots of question-and-answer sessions with voters at meetings, forums, etc. Hoopla rallies will be curtailed.

Field Operations: Watch for a return of old-fashioned get-out-the-vote techniques.

The "clean" mood of the electorate obviously will change everything, from techniques to the personalities. It is possible to extrapolate from present circumstances who some of the new faces in the 1974 casting will be.

Governors: Democrats now have a 32-28 edge, and there are 35 governorship races in 1974. When January 1975 dawns, the Democrats likely will control 40 statehouses.

Biggest prizes will be California and New York, which Democrats are favored to capture now that Republican incumbents Ronald Reagan and Nelson Rockefeller will not run. In California, Secretary of State Gerry Brown (son of former Governor Pat Brown) will outlast San Francisco Mayor Joseph Alioto, Assembly Speaker Bob Moretti, Congressman Jerry Waldie and other Democratic aspirants. He'll then go on to beat Republican State Attorney General Evelle Younger or some lesser Republican. In New York, Howard Samuels, the off-track betting boss, seems likely to survive a Democratic primary and defeat Rockefeller's Lieutenant Governor, Malcolm Wilson.

The Republican outlook elsewhere is just as dismal. Even the strongest incumbent Republican governors, like Thomas J. Meskill of Connecticut, William G. Milliken of Michigan and Francis Sargent of Massachusetts are shaky. The only Republican bright spots are in Oklahoma, where Democratic Governor David Hall has been jolted by scandals, and Alaska, where Walter Hickel, the man President Nixon fired in 1970, is readying a comeback.

United States Senate: The current lineup is 57 Democrats; 42 Republicans; one Independent. There are 34 races in 1974, 14 held by Republicans, 20 by Democrats. After the November 3 elections, it's likely to read Democrats 65-34.

Of the 14 Republican seats up in 1974, two GOP senators have already announced their retirement (Cotton of New Hampshire and Bennett of Utah); two others may follow (Goldwater of Arizona and Aiken of Vermont). Democrats could win all four seats.

Of the remaining 10 Republican Senators, only three (Javits of New York, Mathias of Maryland and Schweiker of Pennsylvania) seem certain to survive.

Of the 20 Democratic seats, only a few seem vulnerable at this time: Gravel of Alaska, if Hickel decides to run for the Senate; Birch Bayh of Indiana faces a strong challenge from Indianapolis Mayor Richard Lugar; and possibly Abe Ribicoff of Connecticut, who has neglected his home base. Senate Democrats should gain about eight seats.

House of Representatives: Current lineup: 243 Democrats, 190 Republicans, two seats vacant. When the House convenes in January 1975, there may be 290 Democrats and 142 Republicans.

The Meaning of Tango

Frank Rich,
NEW TIMES movie critic:

When a year begins with Marlon Brando penetrating Maria Schneider backsideways, it's axiomatic that everything to follow is—yeah—anticlimactic. Georgina Spelvin, whom we all know and try to love, can continue to make a new movie every six days but she'll never compete with *Last Tango in Paris*'s brutal sexual vocabulary—which has had as strong an impact on the public consciousness as just about anything to hit the screen since Rhett told Scarlett he didn't give a damn. Here was a movie that took sex beyond the valleys of sentimental narrative drama (at least until the last five minutes) and above the mountains of escapist porn-film titillation to the edge of that blank void we sometimes face when the old romantic rules fail to guide us through our gravest emotional storms. I don't know of any other film in the past year that offered any new insights into sex.

Maybe, in 1974, American filmmakers will follow Bertolucci's lead and consider not only sex without marriage, but sex without tears and sex without voyeuristic eroticism. Perhaps, too, the year-end successes of *Serpico*, a muddled film that offers an honest-cop hero, and *Five on the Black Hand Side*, a modest but realistic comedy about the black middle-class, may, on one hand, induce some new thinking about the possibilities of police movies and, on the other, make Hollywood moneymen realize that there are profits in showing blacks as something other than supercops,

ILLUSTRATION BY CLARK FRANKEL

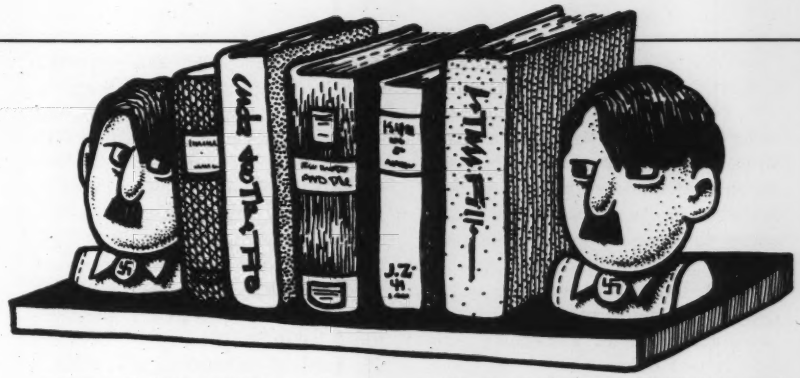


ILLUSTRATION BY JERRY ZIMMERMAN

pimps or fledgling whites.

Meanwhile one can look ahead, skeptically or optimistically (you choose), to some of the more intriguing projects scheduled for release in the reasonably near future: Robert Altman's *Thieves Like Us* (reportedly a homage to director Nicholas Ray); Francis Ford Coppola's *Godfather II* (starring Al Pacino and Robert DeNiro); Robert Aldrich's *The Longest Yard* (Burt Reynolds and Eddie Albert); John Schlesinger's *Day of the Locust* (Donald Sutherland); Roman Polanski's *Chinatown* (Jack Nicholson and Faye Dunaway); Elaine May's *Mickey and Nicky* (Peter Falk and John Cassavetes); Arthur Penn's *The Dark Tower* (Gene Hackman); Stanley Donen's *Lucky Lady*; Mel Brooks' *Blazing Saddles* (Cleavon Little and Gene Wilder); Peter Bogdanovich's *Daisy Miller* (Cybill Shepherd); Kubrick's *The Luck of Barry Lyndon*; Luis Bunuel's *The Phantom of Liberty* and Martin Scorsese's *Alice Doesn't Live Here Anymore* (Ellen Burstyn).

Warner Bros. will release Terrence Malick's *Badlands*—a stunning depiction of a rootless murderer—which was screened at the New York Film Festival last fall. With some luck, a brave distributor will pick up Claude Chabrol's *La Rupture*—a harrowing hallucinogenic thriller in the tradition of the director's *The Champagne Murders*—which was lost in the '73 Festival shuffle. One also awaits, with a mixture of anticipation and abject fear, the all-star remake of *The Great Gatsby* (Robert Redford and Mia Farrow), Ingmar Bergman's film version of Franz Lehar's *The Merry Widow* and—you betcha—*The Trial of Billy Jack*.

Splendor in the books

Richard Kluger,
Author and NEW TIMES book critic:

Given the time-honored craziness of talent, no decent—or even indecent—publisher can predict for certain what he's going to publish beyond the next six months. The following threesomes are definitely in the works and definitely worth looking for:

Three Titanic Biographies:

1. *The Power Broker: Robert Moses and the Fall of New York* by Robert A. Caro. How the town that nobody wants to live in got that way—and how one man can wield power to the benefit and horror of us all. Wonderfully readable, it may become a classic American biography and basic text of urban studies programs.

2. *Lincoln Steffens* by Justin Kaplan. The new opus by the author of *Mr. Clemens and Mark Twain*, the study that set a new standard for literary biography.

3. *William Faulkner* by Joseph Blotner. A two-volume authorized biography of our most productive literary genius.

Three Notable Commentaries On The Best Years Of Our Lives:

1. *All the President's Men* by Bob Woodward and Carl Bernstein. The Washington *Post* reporters who blew open the Watergate story tell how.

2. *The Right Stuff* by Tom Wolfe. On astronauts and the space program (R.I.P.).

3. *Civilized Man's Eight Deadly Sins* by Konrad Lorenz. Let's see, there's lechery, treachery, wretchery, kvetchery . . .

Three Glorious Additions To Your Nazi Library:

1. *Hitler* by Joachim C. Fest. The first major work on Adolf by a now-German.

2. *The Reischmarshal: The Life of Goering* by Leonard Moseley. Will Zero Mostel play the title role in the musical?

3. *Aftermath* by Ladislas Farago. What happened to all the fellas in the Fuehrer's bunker after the roof fell in.

Three First Novels To Glom On:

1. *Blood Sport* by Robert F. Jones.

2. *A Still and Woven Blue* by Richard Stookey.

3. *Mawrdew Czgowchwz* by James McCourt. (That's pronounced Mar-due Gorgeous, they tell me at Farrar, Straus.)

Three Likely Bestsellers:

1. *The Partners* by Louis Auchincloss.

2. *Gettysburg: The Final Fury* by Bruce Catton.

3. *The Dogs of War* by Frederic Forsyth.

Rock, but not for ages

Janet Maslin,
NEW TIMES music critic:

We are more than ready, a decade later, for some '70s equivalent of Beatlemania.

As for what that might be, or whether 1974 will be the year in which it arrives, I can't even hazard a guess. If I knew what might turn the tide I'd be out there trying to help it along, tone deaf or no. But Los Angeles (with its slew of gifted songwriters, the indefatigable Beach Boys, and the seed of the Eagles' cinematic album idea) and

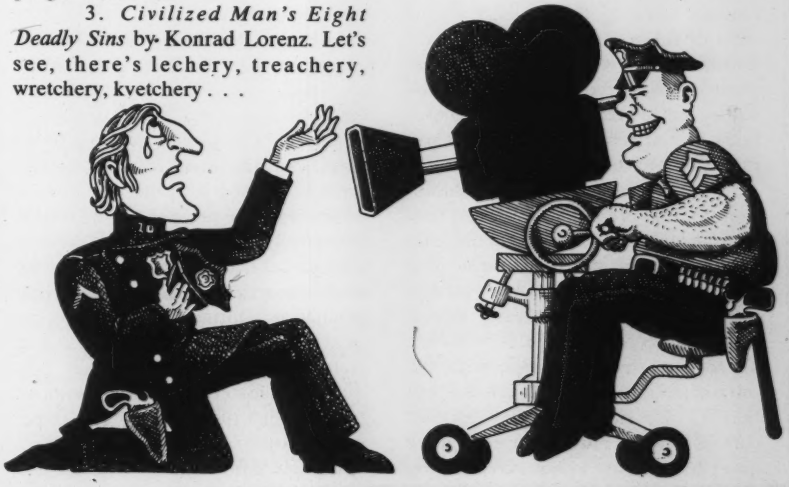


ILLUSTRATION BY MARTY NORMAN

ILLUSTRATION BY WARREN FEDULLO

Philadelphia (with producers Gamble and Huff, Tom Bell, and their best acts: the O'Jays, Harold Melvin and the Blue Notes, the Stylistics, Billy Paul) are clearly the places to watch right now. Also Macon, Georgia, which is the home of the Allman Brothers and numerous offshoots, and has more than its share of strong comers. Meanwhile, I guess the best we can do is to keep on listening to new work by old favorites and wait for the Year of the Masquerade to be over.

Current Myopia

Alvin Toffler,
Author of Future Shock

Faced with the sudden need to adapt to the energy crisis, Americans, Europeans and Japanese alike are exhibiting some of the classical symptoms of future shock: utter bewilderment, a wild oscillation between passivity and overreaction, a search for scapegoats to blame (Jews, Arabs, anybody but ourselves) and a perfect paralysis of long-range intellect.

With our characteristic addiction to the present, our deeply entrenched cultural resistance to thinking about the future, we failed to anticipate the coming of this crisis, even though its warning signs were clearly detectable five and 10 years ago. Now we are all so busy trying to cope with the immediate effects of the fuel shortage that we are running out of another commodity that may, in the end, prove quite as necessary to our survival. Seldom have we approached a crisis with so short a supply of perspective.

The simple-minded idea is being purveyed that the energy crisis is an isolated event, a one-time happening unrelated to history and unconnected with the future. In fact, the energy crisis can only make sense when it is seen not as a single isolatable problem, but as a further step in the long-run disintegration of factory-based mass societies. The energy crisis is only one component of the more inclusive breakdown that ought properly be called the "general crisis of industrialism."

The waves of trouble we have experienced in recent years—failures of the transport system, the health delivery system, the education system, the legal system, the penal system, and many other of the basic life-support systems required by industrial society—are not unconnected but form part of the larger pattern.

From Japan to Sweden, from the United States and Canada to France and Germany, all the high-technology nations have begun punching through the outer limits of industrialism, shifting to a whole new level of technological and social organization. The industrial system, based on high energy consumption, repetitive work, factory production, bureaucratic organization and materialist values, is now cracking and splintering in many locations at once. We are experiencing the first tremors of the Superindustrial Revolution, and the sudden, but unsurprising, shortage of energy is only one incident in this historic transition. Our problem is not simply to save a few gallons of gas a week but to begin thinking through the design of a whole new social order to replace industrialism.

It is in this context of large-scale historic change that we have to look at the relationship of the industrial powers to the rest of the world. In a fascinating analysis wholly overlooked by experts outside the Arab world, Professor S.I. Ghabbour of the Department of Natural Resources at Cairo University points out a number of critical changes that have occurred in the world ecosystem of nations in the past generation. During the heyday of imperialism, Ghabbour notes, colonies were "primary producers"—they produced raw materials that were shipped to their imperialist rulers. The imperialist nation was a "secondary producer"—it turned these materials into manufactured goods and exported them, frequently right back to the place of origin. The French traded with their network of satellites, the British with theirs.

Since the end of World War II, several important changes have occurred, quite apart from the simple breakup of colonialism. A third level of production has arisen—the raw-material producer now ships to a manufacturing country, which, after processing the material, ships it to a still more advanced economy which then makes the finished product.

In addition to this elaboration of the ecosystem by the addition of a whole new technological tier has come a merging or coalescence at the lower levels of the system. With the death of traditional colonialism, the old French colonies are now free to trade with the old German or British colonies or with any of the secondary or third-level nations. Several small ecosystems have merged into a single, larger, more elaborate and complex world system. Ghabbour, at this point, argues that there are only two tertiary powers—the U.S. and the USSR—along with 14 secondary producers and between 130-140 primary producers. I would quarrel with his definitions and numbers, but the essential idea is an important one. The basic structure of the world system is changing—and rapidly.

This is why we can now look forward not merely to further oil boycotts, but to carefully designed boycotts of many other types of resources withheld by coalitions of primary producers in order to apply pressure for this or that political aim. The primary producers are engaged in collective bargaining with the secondary and tertiary powers. In this new, highly integrated network of resources and production, the old, simple relationships no longer obtain, and the day is now past when a few rich countries could set the price for the resources they need.

The day is now past, too, when military force could guarantee access to petroleum or some other vital resource. The existence of several rival "superpowers"—including China, which insists it is nothing of the sort—means that any such war might be escalated. Further, the richly interlaced trading arrangements today require that resources no longer flow simply from a colony to a single ruling nation but in many directions all at once. This means that even when the superpowers are not involved, victim nations can usu-

ally count on mustering some friends. No doubt we shall still witness some colonialist military adventures, and some may even succeed temporarily. But the odds against their long-term success are increasing and, particularly with the spread of nuclear arms, the risks of such ventures are swelling.

The energy crisis, therefore, is part of a whole new game, the rules of which no one yet understands—including the Arabs, the multinational corporations, the CIA, the Pentagon, the giant Japanese trading houses, the Common Market bureaucrats and everyone else. And the lack of perspective on the crisis is directly related to our mistaken assumption that the old rules still apply, that the industrial system will endure. It is also connected with a deep cultural bias in the industrial societies—our obsessive focus on relatively short-range aims. A key tool for human survival at both the individual and the national level is future consciousness—the ability to anticipate change and rehearse one's responses in advance. But future consciousness in the capitals of the industrial powers—in Washington, London, Tokyo or Bonn—is even scarcer than Saudi Arabian crude.

Lack of foresight permitted the crisis to mushroom in the first place. The shortage of energy has far more to do with rising affluence than Arab policy, and anyone who tracked the economic indicators throughout the '50s and '60s could not help but know that more automobiles, air conditioners, electric carving knives and gew gaws would mean higher power requirements. Yet anyone who said that this might create a problem a decade hence was laughed off as a "crystal-ball gazer" or "doomsday prophet." Throughout the industrially advanced nations, we suffer from the notion that thinking about the future is "impractical" while worrying about the present is "hardheaded and realistic." This bias virtually guarantees spiraling troubles.

Thus, in addition to cutting back on energy use now, we need to begin planning for a whole new economy that will no longer be primarily dependent on fossil fuels. I know of no government or corporate agency in any of the industrial nations that has begun to think about it seriously. Failure to do so will cost us dearly.

We must also, obviously, accelerate the development of alternative energy supplies. But once again, we are concentrating on the short term and ignoring the long. The fast-breeder reactor, for example, on which the Nixon Administration is betting heavily, may some day turn out to be a fantastic boon to the human race. But right now it is a hideous menace. Left to the utility companies and nuclear-energy lobbies, we could be stampeded into an insanely hazardous application of this technology.

A former Atomic Energy Commission physicist, Dr. John Gofman, has warned that a one percent accidental release of radioactive wastes from a proposed fuel reprocessing plant at Barnwell, S.C. could force evacuation of populations as far north as Philadelphia and New York. He noted that long-distance truck and train shipments of nuclear materials and waste, on the scale now envisioned by proponents of the fast breeder, would be highly vulnerable to piracy by criminals or terrorists. To develop the fast breeder in the atmosphere of a crash program is to play radioactive roulette with whole populations.

ILLUSTRATION BY ED SOYKA

Yet this is the mentality that flows from our obsession with the immediate. It is not futurists and long-range thinkers but the so-called pragmatists in business and government who drag their feet and then demand crash programs, who deny the existence of a crisis until it strikes and then respond irresponsibly.

This false "realism" has also delayed the development of solar power. For years anyone who spoke of harnessing the power of the sun for earthly purposes was regarded as a "futurist kook" not to be taken seriously by establishment scientists, by government officials and foundation-grant givers. Apart from NASA, which has applied solar power to its own highly specialized needs, research into solar energy was largely left to long hairs and a pathetic handful of scientists who stuck it out against the contempt of their peers. Even now, because the big utilities and various government agencies have not yet figured out how to sell sun power or how to centralize its distribution, it is still assigned a low priority.

Solar hot-water heaters sprout from every rooftop in Tel Aviv and from homes in the Australian outback. Yet they are not dependent on hot, sunny climates. Since 1961 a solar-heated school has operated constantly and successfully in Wallasey, England—hardly a tropical paradise. Perfectly workable, simple and cheap solar-heating devices are available even now. The underdevelopment of solar power is, in part, a product of our underdeveloped sense of the future, our lack of forward perspective.

Every culture has its own characteristic "time basis"—a set of attitudes toward past, present or future. The culture of all the industrial nations is focused on the present and often pathologically nostalgic about the past. Those of us in the affluent sectors of the globe will have to come to terms with the fact that we can no longer unilaterally control the resources of the planet. Until we infuse awareness of the future-scape into our political and economic decision-making, we doom ourselves to perpetual crisis. Until we learn to see the events of today against the emerging canvas of tomorrow, we shall remain trapped, helpless and confused in the perspectiveless present. ●

In sentencing—at the point where most is at stake—judges are completely adrift, without rules or guidelines. What it comes down to is pulling someone's future out of a fishbowl

Justice for none

By Donald Jackson

"I sentence you to three year's penal servitude, in the firm and God-given conviction that what you really require is three weeks at the seaside."

G.K. Chesterton,
The Club of Queer Trades

"I had a case involving an alcoholic," said District Judge Richard Greene of Littleton, Colo. "He pleaded guilty to two felony charges of causing death while driving. He hit a car that was stopped at a light. There were four people in it—a mother, a grandmother and two kids. It was two nights before Christmas. The mother and grandmother were killed and the kids were injured. They were screaming for their mother.

"The man was 28, a carpenter. He's not an outright 'criminal type,' yet he destroyed innocent lives, two nights before Christmas, with immeasurable harm to those kids. Now how do you face that at sentencing? We have no special facilities for alcoholics. What do you do?

"There's something punitive involved here. The victims were innocent—they were on their way home to celebrate Christmas. The thought in my mind was what about the kids, what about their feelings about the man who killed their mother? What the hell do you do? He admitted he's an alcoholic and that he blacked out. He was contrite. The statute says one to 14 years on each count. I gave him four and a half to 10, concurrent. I've thought and thought about it. The kids have to grow up with some sense of justice. There had to be some *impact* on his life for what he did.

"And yet he's not a hard-core criminal. As soon as I sentenced him I called the deputy warden at the prison and told him I didn't think the man was a criminal but I had to do what I did, and I asked him what he could do for him. He said they could send him to a medium-security facility where they could use carpenters.

"I got a contrite letter from the man saying he felt the sentence was severe and asking me to lower it. What do you do? Do you put the punitive element out of your mind? But you can't ignore it. As a judge you're the guardian of the precepts of criminal justice in the community. The element of punishment is ingrained. A lot of judges give lip service to the idea of

PHOTOGRAPHS BY STEVE PHILLIPS

This article has been excerpted from Contributing Editor Jackson's book, Judges, *to be published in May by Atheneum. Copyright©1974 by Donald Dale Jackson.*

2TO3 YEARS
DEATH

satisfying the community's opinion, and it would be folly to say I didn't think of that.

"But I still wasn't sure that I did the right thing. The alternative was an indeterminate sentence to a reformatory, and he'd have a chance to get out in nine months. I didn't think that was sufficient because of the nature of the crime. The kids will want to know later what the judicial system did with the person who killed their mom. Won't they? Won't they want to know what happens to someone who kills an innocent person? If all I did was slap his wrist they'd grow up thinking nothing happens to someone like that. I have to satisfy, I have to prove something to those kids, that the system does indeed deal with people who kill, with the person who killed their mother. I'm trying to prove the system is worth their faith and trust.

"Judges always wonder. I kept thinking about it. I've been to the prison many times. I know what it's like—drugs, homosexuality, cynicism. That alcoholic carpenter could be screwed up at prison.

"Then he came up for reconsideration of sentence. I released him on probation with three conditions—no drinking for five years, no driving for five years, and he has to contribute one-fifth of his monthly income to the support of those two kids.

"It was one of the toughest things I've ever had to do. It's tough for any judge. It tears you up."

Sentencing is the agony and the essence of judging. Every good judge knows the torment and uncertainty Judge Greene describes and knows, too, that there is no way to avoid it. It is one of the transcendent ironies of our system of criminal justice that at sentencing, precisely the point where most is at stake, the judge is unceremoniously adrift from all the moorings of law and principle that restrict him at every other point in the process. He is afloat in the dark, with little to guide him, no codified set of criteria, nothing to help him with the most important decision he has to make. His conduct of a trial is circumscribed by dozens of rules, precedents and statutes. He may comment on evidence only in carefully specified circumstances and only in jurisdictions (such as federal courts) that permit it. He rules on the admissibility of evidence in accordance with a body of law refined through centuries of courtroom combat. His charge to a jury must hew to limits prescribed by the nature of the offense, the available options and hallowed precedent. But in sentencing there's nothing—one to 14, five to life, 30 days to two years—only his mind and heart to go on.

Sentencing is a judge's greatest, most unfettered power. In other countries, judges have more leeway in the operation of a trial and less in sentencing. The maximum penalties in many European countries are less than half what they are in America for the same crimes, and in every other Western country the sentence of the trial judge is subject to review by a higher court. But in most American trial courts the sentence is final; only rarely do appellate courts have the authority and inclination to overrule it.

Judges are generally rougher on the poor, on the nonwhite, on people who have court-assigned lawyers or who have no lawyers at all

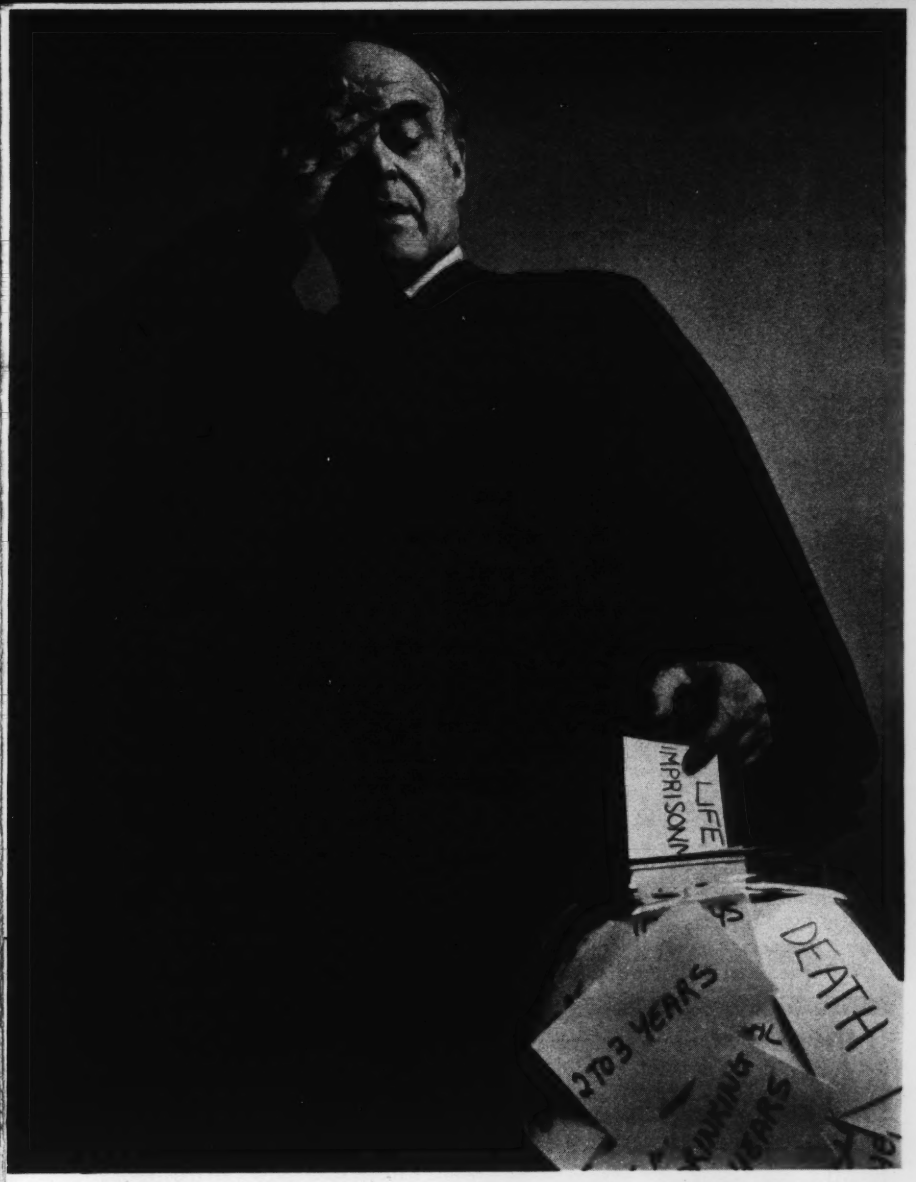
The burden falls most heavily on the most conscientious, the judges who strive to do "the right thing." "Not only do you not know if you're doing right," says New York Judge Sidney Asch, "you know you're never doing right." "It's a puzzle and a torment," says Connecticut Judge David Jacobs. "It's the easiest thing in the world to send a guy away, and people will say you're doing a great job. But they don't see the defendant with his problems, his broken home, having to claw and struggle, the things that went into making his personality."

The first job of a sentencing judge is to pick his way through the thicket of conflicting purposes that sentences are supposed to serve. Municipal Judge Philip Saeta of Los Angeles lists them: (1) retribution, (2) deterrence, to others and to the offender himself, (3) incapacitation—he won't hurt anyone while he's locked up, (4) rehabilitation, (5) financial recoupment—"making the victim whole."

But which comes first? And how does a judge weigh these purposes when the purposes (of rehabilitation and incapacitation, say) clash? And what if a judge doesn't buy all those purposes, or adds others of his own—filling the local treasury, keeping families off welfare?

The purposes of sentencing, New York Judge Irwin Brownstein once said, are "deterrence, getting the guy off the street, and respect for the law—and we don't have any of that now." Brownstein's despairing conclusion reflects the most somber fact of all: nothing "works," nothing "prevents" crime, nothing "solves the problem." At least nothing we've tried so far.

Judge Saeta, in leading a seminar in sentencing at a school for judges in Reno, Nev., reported the results of the most exhaustive studies on the subject: there is no evidence that any alternative available to a judge is more successful than any other in preventing recidivism—repeated offenses by the same person. The rate of recidivism was stubbornly unaffected by jail or no jail, by length of sentence, attempts at rehabilitation or close parole supervision. In one study concentrating on drunk drivers, there was no hint that any method of punishment was more effective than any other in preventing accidents. "Basically," Saeta concluded cheerlessly, "we do not know what we are achieving by our sentences. All we



Retribution?
Deterrence?
Incapacitation?
Rehabilitation?
Financial recoupment?

know is that we do not know."

The range of punishments that different judges mete out to similar defendants for similar crimes is staggering. The disparities reflect differences in philosophy among judges, but they also reflect judicial biases. The only certain consequence is the cynical disillusionment of the criminal who compares his sentence with that of the prisoner three cells down the cement corridor.

At the judges' school in Reno, Judge Saeta gave each of 37 judges a set of identical fact sheets on hypothetical cases and asked them to pass sentence. He included details of the offense, the defendant's prior record and physical appearance and the maximum permissible penalties—in each case this was one year in jail and a $500 fine. The maximum probation was three years.

In some instances he also included a probation report with more details on the defendant's background and personality. In others he identified a defendant as black on half the fact sheets and white on the other half, changing no other details.

"Joe Cut," 27, pleaded guilty to battery. He slashed his common-law wife on the arms with a switchblade. His record showed convictions for disturbing the peace, drunkenness and hit-run driving. He told a probation officer that he acted in self-defense after his wife attacked him with a broom handle. The prosecutor recommended not more than five days in jail or a $100 fine.

The judges' penalties ranged from a minimum of a $50 fine and six months probation to a maximum of six months in jail and a $250 fine. The sentences were harsher when there was no probation report. When Joe was identified as white and a probation report was included, probation was more likely and jail sentences varied from three to 10 days. When he was black, the range was five to 30 days in jail.

"Harriet Swing," 20, was found guilty of prostitution by a jury. Vice officers arrested her with a customer in a motel room. She had one prior conviction for prostitution and another for possession of drugs. The fact sheet described her as "a young female Caucasian, very well dressed and quite attractive and articulate."

Harriet's mildest penalty was a 30-day suspended sentence; the most severe was six months in jail and a $500 fine. In all, 15 judges sentenced her to jail (five included a fine as well), 13 fined her, eight put her on probation and one suspended her sentence.

"John Weed," 21, pleaded guilty to possession of marijuana after police seized him in a park. One previous charge had been dismissed and another, for being "under the influence of drugs," resulted in a $25 fine. He lived with his parents and attended college part-time. "He appears casually dressed and not showing much concern," the fact sheet said.

Fourteen judges sent Weed to jail and 14 others placed him on probation. Seven imposed a fine. The lightest sentence was six months summary probation (with no terms), the harshest was 90 days in jail.

Sentencing inequities have been documented in dozens of surveys, for every manner of crime, at every level of the judiciary. The causes, U.S. District Judge Marvin Frankel of New York believes, are clear: "Judges vary widely in their explicit views and 'principles' affecting sentencing; they vary, too, in the accidents of birth and biography generating the guilts, the fears and the rages that affect almost all of us at times and in ways we often cannot know."

Judges are generally rougher on the poor, the nonwhite, those with court-assigned lawyers or no lawyers at all and those who go to trial rather than plead guilty. There are often wide differences between rural and urban courts. "White-

collar" crime is treated more leniently.

A survey by Boston lawyers divided defendants into those who earned less than $75 a week and those earning more than $100. The poorer defendants went to jail 25 percent of the time and the others 13 percent. A 1972 federal court study found that 28 percent of white defendants convicted of interstate theft received prison sentences, while 48 percent of blacks convicted of the same crime went to prison. The average sentence for blacks convicted of major felonies in seven southern states in 1968 was 16.8 years; for whites it was 12.1.

Whitney North Seymour Jr., former United States Attorney in New York City, reported that white-collar defendants are usually handled with more care. The average sentence for securities *theft*, for example, during a six-month span in 1972 in New York, was two years and eight months. The average term for the cleaner-fingernails crime of securities *fraud* was one year and seven months. Embezzlers went to prison only 23 percent of the time, bank robbers at a rate of 83 percent. Seymour found striking differences among judges in the same courthouse: one Manhattan federal judge sent 10 out of 10 Selective Service violators to prison; another imprisoned only two out of 13, and a third none of six.

The evidence suggests that in sentencing, "equal justice" is nothing more than a pretty phrase carved in marble. Judicial prejudices intervene, and so do the lodge rules—reduce the charge, plead guilty, move the business. Many judges, insulated by narrow experience and orthodox values, punish most those they least resemble. Half the federal judges in one survey sentenced a hypothetical 51-year-old tax evader to probation; nearly all of them imprisoned a young bank robber whose profit was actually smaller.

Judges as a group, says Frankel, are "somewhat elderly . . . almost totally unencumbered by learning or experience relevant to sentencing and inclined by temperament and circumstance toward the major orthodoxies. . . . Probably a large majority had no contact, or trivial contact, with criminal proceedings of any kind during their years of practice. Those who had such exposure worked preponderantly on the prosecution side."

In narcotics cases judges are frequently easier on the middle-echelon dealer than they are on street addicts. On a single day in Pittsburgh in 1972, one federal judge sentenced two addicts to five-year terms for possession of heroin, while another granted probation to a member of a drug-import ring. Of 11,431 felony narcotics arrests in New York City in 1972, most of them dealers, fewer than 300 received sentences of a year or longer.

At its most bizarre extremes, sentencing loses all relation to sense as well as justice. One Colorado judge won't send anyone to prison; he believes that a prison sentence is in effect a death sentence, which helps neither society, the victim nor the offender. Opposite urges prevail in Dallas, by common consent the worst place in the country to come up for sentencing. Juries often do the sentencing in Texas trials. In 1973 a Dallas jury sentenced two kidnappers to 5,005 years each; the murderer of a stockbroker was given 3,000 years by another Big D jury; a third panel sent a narcotics offender away for 1,605 years. Texas inmates are generally eligible for parole after serving 20 years or one-third of their sentence, but the parole board has promised to consider sentence length in determining eligibility; hence the astronomical sentences.

> "If the public is afraid of hijacking," said one judge, "then all hijackers go to prison. You have to serve notice"

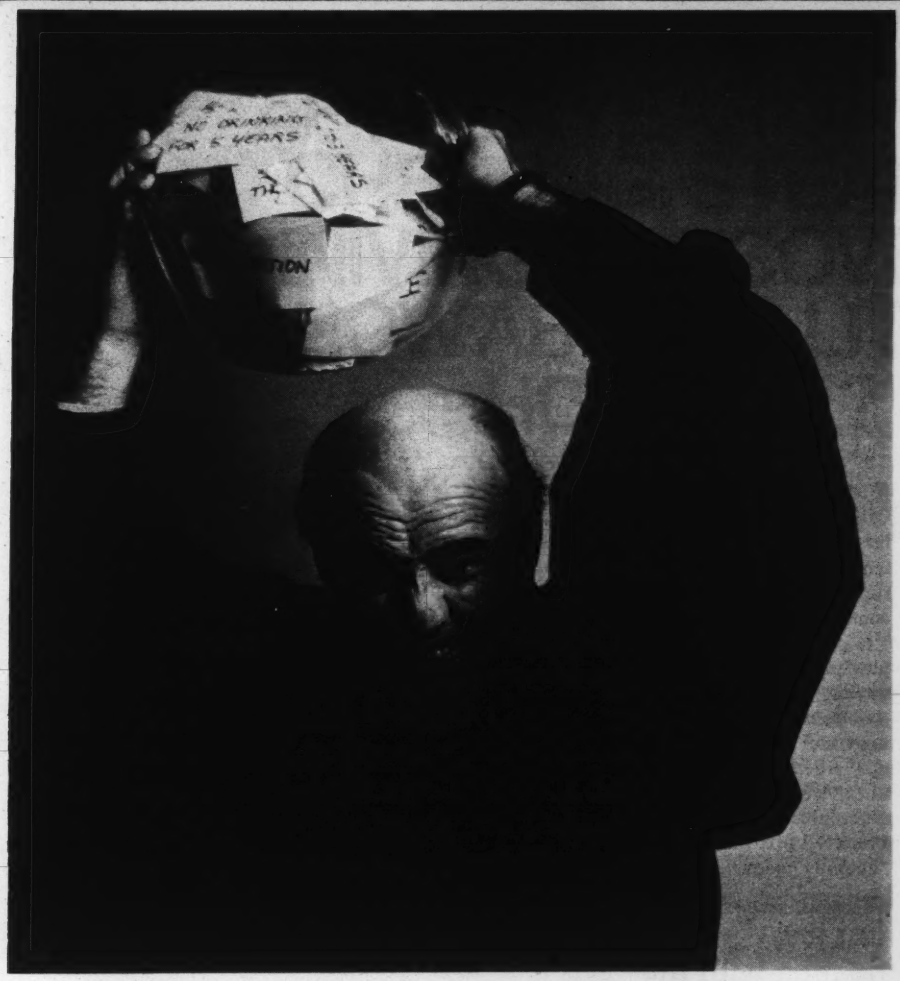
Judges are often repelled by one variety of crime more than others, but their obsessions vary. Many share the aversion to sex crimes felt by Judge Greene of Colorado. "I suppose I shouldn't," he says, "but I can't help thinking of my family in cases like that." Judge Saeta of Los Angeles is most offended by knifing cases. Rodney Eielson of Connecticut is least tolerant in nonsupport cases.

A judge may also be unnerved by his family's experience with crime. After his daughter was murdered, one Texas judge "sort of lost his balance," a lawyer told me. Superior Court Judge Alfred Burka of Washington, D.C., "changed considerably," an attorney said, "after the death of his father in a liquor store holdup, and after the accused killers were acquitted."

The sentencing power is a public podium, and judges use it to spread the word that well-publicized misdeeds of the moment will be firmly dealt with. The heat of the judicial gaze shifts with the drifting fronts of public opinion. In the 1930s it focused on kidnaping, later on treason and subversion, at other times on organized crime and bank robbery.

During the Vietnam War the glare fell on draft resisters and evaders, and in 1966 and 1967 they were commonly sentenced to the five-year maximum, especially in such states as Texas, Kentucky and Mississippi. As public opinion turned against the war, sentences to draft violators became more lenient; judges began to grant probation and order substitute service in hospitals, drug centers and the like. In 1967 more than three-fourths of all draft cases resulted in convictions, and 90 percent of the convicted went to prison. By 1971 the conviction rate had dipped to 35 percent, and nearly two-thirds of those received probation.

But by then there was a new *crime celebre*: airplane hijacking. "You have to serve notice," a federal judge told me.



Judges agree the present system should be shattered

"That's one of the purposes of sentencing. If the public is afraid of hijacking, then all hijackers go to prison." Fourteen hijackers were convicted in 1972; three were sentenced to life and the others to terms between 20 and 45 years.

The next spasm may have been inaugurated by U. S. District Judge Mitchell Cohen of New Jersey in May, 1973. Cohen sentenced six former officials of Atlantic City to terms ranging from two to six years on corruption charges. He observed that "the mood of the country today" will not accept "improper or immoral conduct by public officials."

What goes on inside a judge's mind when he sentences? The defendant is young and sullen. He wears work clothes or jail denims. Or he is cooperative and contrite, neatly bedecked in coat and tie. The judge is tired or hungry or angry or he feels fine. He is strong or weak, bright or dull. A bell rings somewhere in his subconscious. Does he hear it? What does it signal? What influences are working on him? Where do they come from? Can he recognize them? The mind balances, the senses absorb, the emotions weave and slide.

The psychological roots of a judge's sentence reach into a bog where most judges fear to tread. "Sentencing churns very much into their past," says Dr. Andrew Watson, a University of Michigan psychiatrist. "No one in our culture ever gets rid of his belief in the retributive scale of punishment, the idea that that's the way life is. Your conscious attitude may change, but the desire to be retributive and punitive is always latent. It's the childhood conscience. We don't think judges are supposed to behave that way, to believe that if you do something bad you must be punished. But you can't emancipate yourself from that childhood view very easily."

Watson knows hundreds of judges, having conducted courses and seminars on the judicial psyche for more than a decade. He has pushed deeper into the bog than anyone.

"There's a tremendous strain on judges," he says, "because they have so much trouble acknowledging their own impulses and lusts. They have all kinds of explicit rationales for not thinking about their own involvement. They turn their feelings around, so they become a 'reaction formation.' The lure of sin makes you crusade against it, to deny it in yourself. They won't look at a whore and say, 'I'd like to screw her.' They'll condemn her as disgusting or talk about social pathology."

Watson believes that the callousness of many judges—"the usual man in the usual place"—is a veneer, a disguise to protect themselves from failure. "It's impotence covered up," he says, "because they *do* care about the people before them, but they don't know what to do. They give a man a light sentence and he's back in court six months later. They feel they've failed. But they're bound to fail because people don't change that fast. The idealistic judge is screwed again and again until he gets bitter. I've seen it with welfare people, cops, corrections workers—they'll become either bitter or callous. Judicial training ought to help them cope with that failure because they *will* fail.

"They want to be fair, but they're not equipped to deal with their human reactions. I'll bet Judge Julius Hoffman wanted to be fair in the Chicago Seven trial, but he couldn't face the fact that he had to sit there and be 'objective' while he was in fact hating those guys. You can't get rid of such emotions, so you have to deal with them. If a judge can't comfortably dislike the defendants, then he ought to get off the case. He has to learn to be comfortably uncomfortable. Good judges can do it."

Lawyers become judges, in Watson's opinion, out of conscious or unconscious desires for power, status and security. "The power to decide about other people's lives is the most significant aspect of the job, and they have to be comfortable with that power. Some exercise it with glee and others with hesitation. Deference and status are very important to many of them. I knew one appeals court where all the judges had their own valets."

At the sessions he conducts with judges, Watson urges them to "learn a theory of human behavior, because willy-nilly they're going to have one anyway. They insist that they know as much about people as I do. I just suggest they learn some theory as a means to understanding themselves." He tries to "show them their

feelings so they can cope with them."

His success, by his own standards, has been indifferent. At one seminar for federal judges, his discussion of judicial impulses was cut short when the director "started to ramrod me into Yes or No answers. He wanted to shift the focus from judges to defendants.

"I have no illusions about any big positive gains in judicial self-knowledge," Watson says. "The human mind is essentially conservative. There's a beginning awareness, but that's all."

Judicial unhappiness with sentencing is so widespread that many judges believe some change is necessary. But as yet no reform has been widely adopted, mainly because the attempts have been half-hearted. In addition, the principle of sharing or diluting the sentencing authority threatens a judge's "independence."

Out of frustration with the failure of jails and prisons, many judges have come up with creative alternatives of their own. Circuit Judge Alfonso Sepe of Miami gave two teenagers a choice of jail or teaching illiterate inmates to read; he sentenced eight men convicted of marijuana possession to spend one day a week cleaning up a polluted river. Michigan Judge John Roskopp ordered a boy found guilty of shooting a protected swan to work two weeks at a state game preserve. Federal Judge Philip Neville of Minneapolis sentenced a physician convicted of tax evasion to probation with a proviso that he perform "charitable medical services, teaching or an equivalent allied activity" for six months.

State judges in Portland, Ore., may call on an experimental "diagnostic center" staffed by psychologists, probation officers and social workers for sentencing recommendations. Judge Stanley Fuld, former chief judge of the New York Court of Appeals, and others have suggested that sentencing be turned over to a super-agency composed of judges, corrections officials, and laymen. Professor Leonard Orland of the University of Connecticut law school proposes "referees" for sentencing (comparable to referees in bankruptcy), with responsibility for sentencing, confinement and parole.

Appellate review of sentencing, now permitted by statute in 13 states, is warmly endorsed by the American Bar Association and many judges, not including Chief Justice Burger. Federal judges now attend periodic sentencing "institutes," where they are supposed to air their differences and discuss criteria. But Judge Frankel, for one, finds their impact "quaintly inconclusive." The two afternoons he spent at such institutes in six years on the bench persuaded him that "for the most part the judges tend to record their differences, reassure each other of their independence, and go home to do their disparate things as before."

> I'm just floating with the breeze, trying to figure out what I think. I don't know if I'm a slob or a hardnose"

Frankel has little confidence that any of the currently discussed reforms will offer an escape from the wilderness of sentencing.

He believes that sentencing "calls, above all, for regulation by law. There is an excess of discretion given to officials whose entitlement to such power is established by neither professional credentials nor performance." He suggests a permanent national commission which would study sentencing, prisons and parole with a view toward forming and enacting rules. "I envision a highly prestigious commission," he says, composed of "philosopher-statesmen."

Short of a visitation by the angel of justice, who hasn't been seen recently, Frankel's idea seems as good as any. The wilderness may or may not be hospitable to philosopher-statesmen, but it certainly hasn't yielded to any lesser explorers.

"One of our judges here had to sentence a man to death this one time. It was a jury sentence, he didn't have any choice." The speaker is a Texas judge. "Well, this old boy, he'd stop and take these long pauses, you know. He'd have to get himself under control every few minutes. It was cuttin' a hole in him, you could tell. He had no heart for it at all. He stayed in his chambers for an hour afterwards.

"Well, then I got on the bench and I went around to this older judge and found out the kind of sentences he'd been giving. I didn't want to get way low or high. I wanted to see what he thought quote justice unquote was. I told my prosecutor I wasn't tryin' to set any records, just to follow the example of others. I don't know what justice is, hell, and that old boy probably didn't either. He's just been looking around for it for 20 years or so, and I'm only a beginner at it.

"So I had this shoplifter in court the other day. I know that old boy would have whacked her in the ass something fierce. She was a thief, you know, and you ain't gonna change that. But still I hated to be the one to send her to jail. I put her on probation. Hell. I'm a slob, I guess. It ought to be more mechanical. If you break the law you ought to get put in jail, that's what the whole system is for. They don't do no shoplifting in jail.

"I'm just floating with the breeze trying to figure out what I think. I don't know if I'm a slob or a hardnose, probably more of a slob. It's something that's part of you, I guess, you don't change that much when you become a judge. Seems like sentencing winds up being a committee action a lot of the time—the defense lawyer and prosecutor and I figure it out. Sometimes I figure if I piss them both off, I must be getting close to justice." ●

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A self-critical chauvinist travels around the country to see what men in their 20s are looking for in women now that liberation has taken hold

"I want a ~~girl~~ woman just like the..."

By Harry Stein

There's this girl named Maureen who's been on my back for years now. As a matter of fact, she'd probably have a nasty remark to make even about that. I should have said a woman named Maureen.

We started out friendly enough, Maureen and I, at the West coast college we both attended. A good friend of my girlfriend, Maureen not only had considerable sex appeal, she was the kind of saucy, foul-mouthed girl who could turn a dull gathering into an interesting one.

But about five years ago, my affection for Maureen changed. Suddenly her sarcastic comments about me, which had always been good-natured needles, became caustic spears, and the things that she had liked in me became overnight liabilities. My confidence was conceit, my tenacity arrogance and my glib manner, which I had cultivated for years and to which I attributed my modestly successful sex life, was pretense.

Maureen's diagnosis was of course precipitated by the specifics of the former relationship with the girlfriend, a pretty and spirited soul with whom I had probably been incompatible from the start. But that isn't how Maureen saw it. I was overbearing, she said, and sometimes downright cruel. I had so dominated the girl, so forced her to conform to my expectations and so lowered her self-esteem, that I ended up almost knocking the bounce right out of her.

All right, I knew I hadn't been perfect. I'd probably been overly zealous in my concern that she be bright in front of my friends, and I might have berated her a few times too often for failing to reach the proper conclusions about movies we'd seen together. But an ogre, I knew, I hadn't been. And I stopped hanging around with Maureen.

The fact is, I had always seen myself as an innately progressive person and quite abruptly I was cast as a Neanderthal. It was clear that this recently surfaced Women's Lib thing was catching on—it had already been embraced by all the hipper publications—and I was still defending behavior that the *Village Voice* had pegged as sexist six months before. Self-criticism seemed the order of the day.

So I self-criticized, sincerely. I admitted to a lot of people who weren't really interested that I had been rotten in my dealings with women, and I promised never to do it again. In a short time I felt that my attitude really had changed, that I did understand the small ways in which men demean women, and I was trying to do something about it in my own behavior. Most women believed that, and even appreciated me for it. But not Maureen, whose skepticism continued to gall me. She pointed out one day at lunch that I was treating my new girlfriend, a psychology major at NYU, about the same way I had treated her predecessor. "Look, I don't detest you," she said. "I merely recognize the fact that you're a bastard. If I can live with that, why can't you?"

Last summer, I decided to find out for myself whether I was the swine that Maureen made me feel I was. Since I would be driving across the country with some friends anyway, I could sound out a lot of other guys on just how much the events of the last few years had changed them, their attitudes toward women—and just what they are looking for in women today. And during six frenetic weeks, I spoke to 50 or 60 young men, all of them, like me, college educated and politically oriented.

Naturally, a number of people I spoke to were in no mood to be observed at all. They dismissed me with sarcasm, a shrug or less. But others almost welcomed my badgering. Virtually no one, it seems, had given the subject much consideration, and I was an excuse for them to get their own thoughts straight.

Jeff Richards, a public relations guy with a large firm in New York, knew something had changed in his feelings about women, but he couldn't exactly pin it down. "I guess," he finally decided, "that intelligence is more important to me than it used to be. As one gets older"—he is 25—"one just doesn't have time for stupid people. . . . When I was in college, at Wesleyan, it was important to me that people noticed when I was on the street with a beautiful woman."

"But no more?"

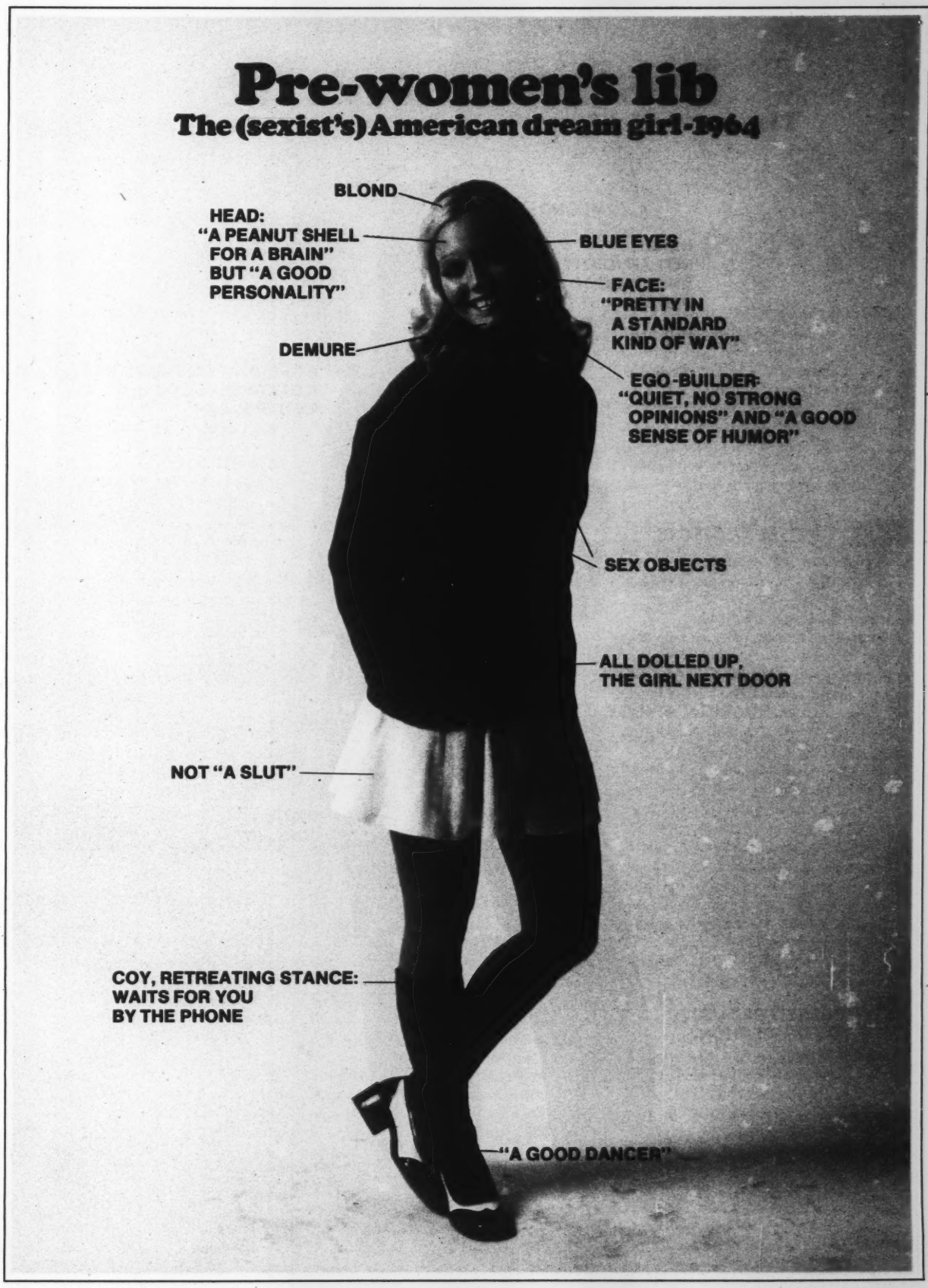
He leaned back from the mahogany desk in his comfortable office. "Don't get me wrong, I'm still not attracted to a girl who isn't good looking. I really like soft-looking women, the English look. On a scale of one to 10, I like the women I see to be at least sevens. But attractiveness can now be enhanced for me by other factors."

"Like what?" I asked.

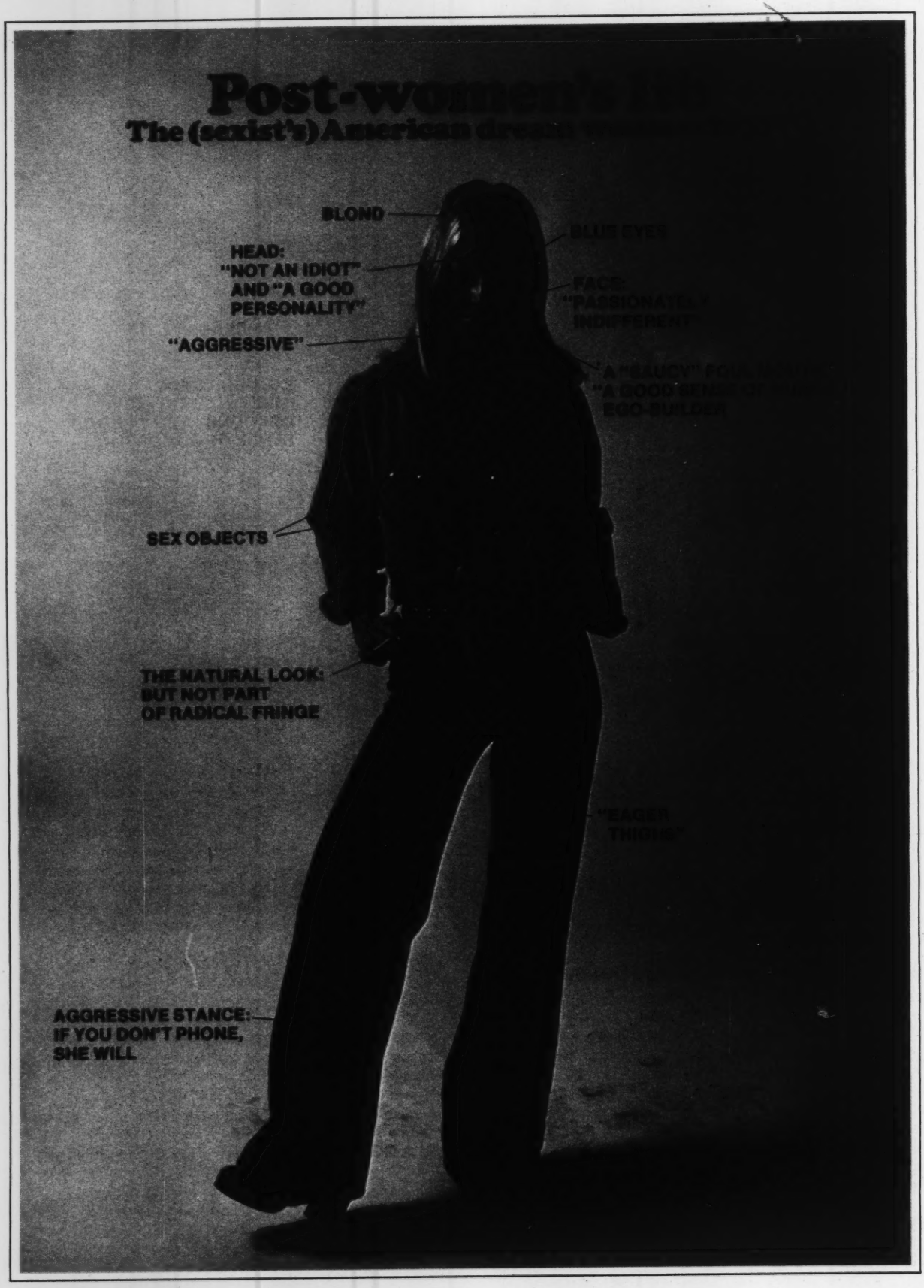
He stood up and turned toward the window. Richards is short, with thin brown hair topping a pleasantly round

Pre-women's lib

The (sexist's) American dream girl-1964


BLOND
HEAD: "A PEANUT SHELL FOR A BRAIN" BUT "A GOOD PERSONALITY"
BLUE EYES
FACE: "PRETTY IN A STANDARD KIND OF WAY"
DEMURE
EGO-BUILDER: "QUIET, NO STRONG OPINIONS" AND "A GOOD SENSE OF HUMOR"
SEX OBJECTS
ALL DOLLED UP, THE GIRL NEXT DOOR
NOT "A SLUT"
COY, RETREATING STANCE: WAITS FOR YOU BY THE PHONE
"A GOOD DANCER"

PHOTOGRAPHS BY STEVE PHILLIPS


Post-women
The (sexist's) American dream
BLOND
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"NOT AN IDIOT"
AND "A GOOD
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FACE:
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"AGGRESSIVE"
SEX OBJECTS
THE NATURAL LOOK:
BUT NOT PART
OF RADICAL FRINGE
AGGRESSIVE STANCE:
IF YOU DON'T PHONE,
SHE WILL

face. He moves the way he talks, in short, decisive bursts. "Like sensitivity," he said. "Like sense of humor. There's nothing worse than going out with a beautiful woman who has a peanut shell for a brain."

"Okay," I said, "how much does Women's Lib have to do with your feeling that way?"

"Oh, Jesus, I don't know. I've had relatively few encounters with Women's Libbers and most of those have been distasteful. I suppose the Movement is a healthy thing generally, but I don't like women who are involved with it to the point of blindness. I'm sick and tired of being called a male chauvinist when I'm obviously not.

"I do think the Movement's doing some people a lot of good. You see lots of people married to or living with women and you say, 'Oh my God, what's Jim doing with that girl?' But now I realize there might be something else there. And I say, if someone can fall in love with a girl who looks like a cyclops, more power to 'em."

Dear Maureen: Movement or no Movement, revolution or no revolution, the cyclopes of the world ain't never gonna have an easy time of it.

Cary Schneider, Rob Harris and Doc Novak all graduated from University High near St. Louis in 1966, and they haven't spent much time together since. Schneider went off to Cornell College in Iowa, Harris to Washington University and Novak to MIT before returning to Washington University's medical school. But when Schneider comes in from Chicago, where he writes for one of the daily newspapers, it's like old times. "We hang around for a while," he says, "and then we go to the movies and then after that we head over to Rinaldi's for a pizza."

Rinaldi's is the kind of pizza joint that has candles in tinted jars on the tables and exotic pies in the three dollar range and it was there, late one Saturday evening, that I ran across the three old friends.

"What am I looking for in a woman?" mused Doc Novak, a baby-faced, immaculately groomed showpiece of a good Jewish boy. "I don't know. What are you looking for in a woman, Mr. Fashion?"

Harris looked intent and ran a hand through his kinky blond hair. They had just seen *The Mackintosh Man.* "I wouldn't mind having Dominique Sanda," he said finally. "She don't talk English great, but she's got a hell of a body on her. Yeah, I'd have to say she's my idea of the perfect woman—the passionately

"I have no idea what I'm looking for in a woman," Cary said, "and when I find it, I won't know what to do with it"

indifferent type, just like the Estee Lauder girl on TV." He put on a German accent. "Strip her and bring her to me."

Schneider, a bearded, curly haired Woody Allen, laughed. "Well, it's good to meet a man who knows what he wants in life. Personally, I've got to agree with the Doctor. I have no idea what I'm looking for and when I find it, I won't know what to do with it."

Novak shook his head in mock despair. "Some things never change."

"But I'll tell you one thing," continued Schneider, looking at me, "I think things are beginning to break my way. Finally, after all these years, the ideal image of the man—the blond jock thing—is breaking down. This definitely works to my advantage. Also girls now seem freer to be themselves. I love *The Producers* and I could never have a serious relationship with anyone who wasn't as crazy about that film as me, who didn't know all the dialogue and insist on singing the songs at odd moments. I guess what I'm saying is that I want someone who's as ridiculous as me, and now it seems likely that some women will be able to acknowledge that they are."

"Nobody," interrupted Harris, "would acknowledge that."

"And there's one more thing," added Schneider. "Aggressiveness. For years and years I'd sit by the phone and wait for some beautiful girl to call. These days there's a chance that one might actually do it. This is why the liberated woman doesn't bother me at all. If someone else wants to take charge of the relationship, that's fine with me."

"I'm not sure I'd be interested in an overly aggressive woman," said Novak. "I want an ego-builder. Not an idiot, but not a competitor either. And good looking, of course."

"That's true," agreed Schneider. "I just can't buy the feminist argument on that at all. To say looks are unimportant is absurd. Some things are ugly and some things are pretty. There are certain laws of aesthetics that are immutable. Isn't that right, Mr. Fashion?"

Harris, who had been constructing a cube of anchovies with his fork, looked up. "Right," he said. "That's absolutely right." He leaned forward confidentially. "I'll tell you what I'm looking for in a woman. There are three qualities that are essential and if she's missing any one of them she's not worth the trouble." He glanced over his shoulder to see if anyone was listening and then turned back to the table. "One, a good personality. Two, a good dancer. Three, eager thighs."

Dear Maureen: Cliches don't get to be cliches by being abandoned just because they're under attack.

At a truck stop outside of Amarillo, Tex, I ran into Terry Jordon, who had known my brother in college. Terry was on his way home to Corpus Christi after stints as a technician with local TV stations up North, and he was less than anxious to get there. Terry looks, talks and moves like *Midnight Cowboy* Joe Buck and he possesses the same wide-eyed, easy manner. But Terry Jordon has very little of Texas left in his blood.

"Listen," he told me, over a tall

Lone Star beer, "this place is so damn dull that I hate comin' back. There's nothin' here I like anymore, 'cept seein' my folks."

"How about the girls down here?" I asked. "They look pretty good."

" 'Look' is right," he said, shaking his head. "You sure as hell can't touch 'em. Talk about the Bible Belt. They should rightly call this place the Chastity Belt. It's really frustratin', dealin' with all these repressed chicks. Other places, where things are looser, you can get over the need to screw and get on to other things. But when I get back down here, I get back to the way I was before—lookin' at a girl and just wantin' to ball. They talk about all the macho that goes on down here and all the male chauvinism. Well believe me, man, the women are doin' it to themselves."

"I'd heard that things had really loosened up down South," I said.

"Try livin' here." He sipped his drink. "But, hell, things aren't perfect anywhere. The ideal women for me are intelligent, and I don't meet too many girls that are intelligent. Anywhere."

"Yeah," I said, "but that's a societal thing. I think that as women become more liberated, they'll become more interesting people."

"I hope so. I hope that'll be one of the things that'll change, because I really do like the women I'm with to be real intelligent. Not that I want to be sittin' around at 3:00 a.m. talkin' about Aristotle when we should be other places but . . . you know what I mean."

He thought for a moment. "Well, some women do seem to be more aggressive now. Personally, I like to be aggressed against. I've had relationships—not just affairs, but relationships—where girls have said that the first thing they thought about me was that I'd be hot stuff in bed. And that's good. A girl should be able to say that without you thinkin' she's a slut or somethin'."

I was impressed. "Girls have actually said that to you?"

He grinned, Joe Buck to the core. "Yeah, a couple of times. And there should be more of that." He paused. "Now that I think of it, if that's how things are gonna be, I'd have to say that I support Women's Lib all the way."

Dear Maureen: Take your supporters where you can find them.

John Rothman, who is 26 and a sociology instructor at UCLA, spends a lot of time at an informally hip Hollywood watering hole called the Cafe Figaro, and he is, as the girl at the cash register points out, "incredibly adorable." His curly, copper hair is neatly styled, his features are sculpted and his clothes—snug velvet pants and cotton shirts with the three top buttons open—are French. From the looks he gets, the cash register girl's assessment is close to universal.

"Aren't you being sexist?" I asked. "Damn right!" Clem replied. "Hell, I'm 29. Too late to change now"

But it's a funny thing, Rothman has absolutely no idea. When I joined him at his corner table and told him about the cash register girl, his face lit up. "Which one is she?" he asked, scanning the dimly lit room.

"The one who just went off duty. She's standing there, by the bar, in the blue skirt."

He saw her. "Jesus, she's really sexy! Maybe I should go over and talk to her." He gave her a long look. "Naw, she probably didn't mean it."

He put on his glasses and stared at her intently. She caught him and smiled. He turned quickly back to me. "Well maybe I'll talk to her later. She works here so she'll be around."

Have you found girls at all different since the Women's Movement, more approachable, I mean?"

"It's a strange thing," he said. "I keep thinking that Women's Liberation should affect me—I've always been involved in political movements—but it doesn't at all. The girls I meet haven't changed. I go to Marina del Rey (L.A.'s singles strip) and it seems just like high school, except that people actually go home and ball. There are all these claims so, I don't know, I suppose someone must have changed. But no one I've run into."

"And your attitudes toward women haven't changed either?"

"Now why would something like that change? I'm the same person I was three or four years ago. I still go to movies all the time, I still think most American politicians are full of shit and, sure, I still look for the same things in girls. I still want intelligence, sense of humor and attractiveness. There's a minimum level of each that's prerequisite, and if you drop below that level, then there's definitely a problem."

"I agree," I said, "but in my case the balance has changed. Intelligence is more important than it used to be."

Rothman leaned forward and said, "Look, I don't want to be too glib about this. I definitely understand the exploitation of women in an economic and social sense, and I think I'm sensitive to the interpersonal exploitation of women—I see it happening all the time—but it seems to me too that most girls demand it. I'm convinced that the reason I haven't had more girls is that I'm not a good enough male chauvinist pig. Good, aggressive male chauvinism appears to be the only way to get a lot of girls. Now, I'd like more girls, and I'd probably be willing to bend my political and moral codes to get them, but I just can't function that way. I'm not a very aggressive person."

I couldn't argue with that. "Well let me put it this way," I said. "When the Women's Movement first started getting a lot of attention, did it occur to you that it might make things easier for you?"

"I suppose, but it sure hasn't worked out that way. If I went around looking for a so-called 'good' relationship, according to the (Women's Lib) literature,

the only girls I'd be able to talk to are the ones in radical fringe groups, in work shirts and dirty jeans. I just find those people intolerable. There's a total lack of sense of humor. I agree with them theoretically, more or less, but on a personal level it's just a disaster."

"So you don't see any middle ground, any way you could. . . "

He shook his head. "Uh, uh. I'd rather take my chances at Marina del Rey than with those people."

Dear Maureen: For some people, ideological purity is just a pain in the ass.

It's not impossible to find young men who will endorse the Women's Movement without reservation. It's just difficult. In my case, I had to travel 3,000 miles before I ran across one, and even then I cheated. Jack Bodner almost had to subscribe to the party line or he'd have very little business working in the offices of *Ramparts* Magazine. Bodner, a gnomish, hesitantly amiable 28 year old, with an inevitable beard and a pair of tattered jeans, is a part-time employee on the magazine's business side.

"I'm really grateful to the Movement," he told me. "I think it's made me into a healthier person."

"It's nice to hear that," I said. "I've asked a lot of people about women and you're the first one to say that."

He smiled. "Well, I am pretty much out of doing the role thing. I suppose I've worked out some things a lot of men still haven't. Things are feeling good."

"Was it difficult changing your attitude toward women? I mean, did you first decide it was the proper thing to do and then work at it?"

"Well, yeah, I've been in a group for a couple of years, a mixed group, designed to help all of us get out of roles. You get a lot of feedback about what other people want and how they see you. People who are really getting themselves together aren't putting role expectations on other people."

"Jesus," I said, "that's really good.

Frankly, I don't think I could ever change that completely."

"Maybe not," he said, a little too condescendingly, I thought, in light of the nobility of my admission. "It is hard to break out of patterns you've followed since you were a little kid. But it's worth the effort. And I've found too that women involved in the Movement are less demanding in terms of expecting me to be the entertainer or planner or protector, but more demanding in terms of expecting me to treat them like human beings.

"Actually," he continued, "I was never very comfortable in the typical male role anyway. I was supposed to be decisive, intelligent, witty and good looking, and I thought there was something wrong with me because I wasn't making it on those levels."

"So now you do look for different things in women?"

"Oh, yeah. Before I always used to insist on girls who were good looking—not overweight, that was the main thing—and pretty, in the standard, TV kind of way. Now I look more deeply and might be attracted by someone's personality. To a certain extent, I used to disregard personality."

"In other words," I said in admiration, "you're now interested in women whom you genuinely like as people, rather than as sex objects."

"Yeah," he said, "I really do feel I've reached the point where I could have a sexual relationship with someone who five years ago I wouldn't have found attractive."

"You say that in the conditional," I noted. "How many relationships like that have you had?"

He paused. "Well, actually, none." He grinned sheepishly. "I suppose that makes me a bit of a hypocrite, doesn't it?"

Dear Maureen: It seems that all the apples in the barrel are at least a little rotten, after all.

I walked a few blocks from the *Ramparts* office on University Avenue to Telegraph Avenue, the hub of the Berkeley street scene. It's difficult to imagine a better possible world for the indolent or the politically minded. I hung around most of the afternoon, finally ending up sitting on the sidewalk in front of a health-food restaurant with a quintet of beards. The talk turned to politics and, apparently for my benefit, they all made a point of their radicalism. They had all been through the People's Park war and one of them, a tall guy named Clem who had the noble bearing and sunken cheeks of an El Greco, dated back to the Free Speech Movement. Living history.

I nudged the conversation over to women but no one had much to say. They all came to life, though, when a tall girl named Robin happened by and started flirting with Clem. Behind her back, but in Clem's view, one of his friends started making an exaggerated grinding motion, and everyone tittered. When Robin had left, the mime, still very pleased with himself, spoke up. "Well, you gonna ball her?"

"Yeah, if I can," said Clem.

"No problem," said the other. "Just give her a joint and she'll be on top of you in 10 seconds. And she's good, too."

Clem nodded.

"Wait a minute," I said, "aren't you being kind of sexist?"

Clem smiled. "Damn right! Hell, I'm 29. Too late to change now."

That evening I bought a post card of the Golden Gate Bridge and scribbled out a note to Maureen: "Based on careful observation, I'm not so rotten after all, almost a model prisoner of sex, in fact. It seems that revolutions of the heart take more than 10 days to shake the world." ●

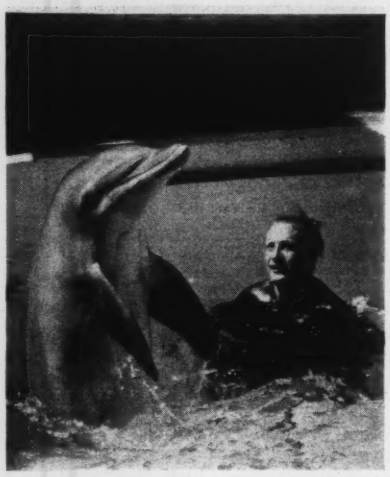
Mike Nichols doesn't make just any old animal movie

By Frank Rich

A month ago I would have sooner imagined the Disney studios signing up Linda Lovelace for a sequel to *The Love Bug* than the possibility that Mike Nichols might make an animal movie. After all, Nichols is a director whose film career has consisted in its entirety of always interesting, sometimes smashing pictures that have dealt with what people used to call the "major themes of our time"—like sex (*Who's Afraid of Virginia Woolf?*), post-adolescent alienation (*The Graduate*), war (*Catch-22*) and more sex (*Carnal Knowledge*). You just don't figure that he's going to turn around and make an animal movie . . . which is exactly what he has gone and done in *The Day of the Dolphin*, albeit in the most elegant and dramatically satisfying manner imaginable.

This is not just any old animal movie, mind you. *The Day of the Dolphin* is more than a few cuts above such farmyard favorites of yesteryear as *Lassie, Come Home* and *National Velvet*; it is right up there with *Charlotte's Web* (E.B. White's wonderful book, not the animated adaptation), a work with which this film shares some plot elements and its overall sentimental tone. And Nichols hasn't stopped there. He and his favorite screenwriter, Buck Henry, working from a novel by Robert Merle, have also thrown in a murder-espionage mystery, some B-horror movie contrivances, a touch of old Second City humor and a few generalized observations about a world where everybody knows everybody else's business through the modern miracle of illegal wiretaps. A few lapses aside, they and a production team that includes the incomparable movie composer Georges Delerue, designer Richard Sylbert and a veterinarian named Jesse White have devised a slick entertainment that is light, engrossing fun and beyond doubt the best movie for children in recent years.

The star of the film is Alpha, a dolphin who, presumably because he lacks an agent, does not get the over-the-title billing that is reserved for George C. Scott. Scott plays Dr. Jake Terrell, a behaviorist-zoologist who conducts secret experiments with Alpha on a private island somewhere off the Florida coast. As the doctor explains at the movie's outset, Alpha, like all dolphins, can perceive "abstractions . . . what we might call ideas"—which immediately places this mammal infinite echelons above a certain seagull who has been boring audiences numbering in the dozens this fall. Under the aegis of a non-governmental foundation grant, Terrell is training Alpha to speak English, perhaps so that the doctor might tune into a brain that may be more complex than his own, perhaps because he likes to play God in what his needlessly severe wife (Trish Van Devere) refers to as his "little kingdom" by the sea. One of Terrell's several stunningly attractive scientific helpers points out another possible motivation for the doctor's investigative obsession: maybe he's locked in "a dream or some psychotic fantasy."



George C. Scott and friend, on vacation with Mike Nichols in Day of the Dolphin.

Inevitably some unwanted visitors from the outside world—an unscrupulous journalist (Paul Sorvino) and a foundation president (Fritz Weaver, doing a George Plimpton imitation)—arrive to intrude on that fantasy. They may or may not be part of a larger conspiracy of murderers and paper shredders—a cabal that seems intent on tampering not only with the tranquility of the tight-knit laboratory-household but with the mysterious powers of the dolphins themselves.

Over all these goings-on hang, of course, the large questions: is man meant to domesticate any animal, dolphin or whatever, and, since the animal is a dolphin in this case, is man meant to plug into its supernatural currents? Nichols and Henry provide the answers moviegoers have come to expect, but the unsurprising philosophical resolution of the film does not get in the way of the suspenseful plot.

It's hard to conceive of a more suitable actor for the role of the intense doctor-hero than Mr. Scott, if only because he has played intense doctor-heroes already in both *Petulia* and *The Hospital*. He's still good at it. Some of the great Nichols-Second City stock company—Elizabeth Wilson, Jon Korkes and Severn Darden—are also around, though only Wilson is asked to call upon her comic talents. Paul Sorvino's flabby, surly and semi-manic journalist gets nearly all the funny lines and he gives them brute New Yorkese readings that brighten up the atmosphere.

Apart from the Sorvino character, this is not Buck Henry's natural kind of movie (as were *Candy, The Graduate, What's Up, Doc?* and *Catch-22*), but he has written a script of enviable economy, if one excludes the lecture with which the film opens and a forced satirical sideswipe at academia that appears out of nowhere for a few moments during the movie's second half. In his direction, Nichols has combined decent narrative technique with some joyous nature photography, abandoning, for the moment anyway, the tight austerity that marked the shooting style of *Carnal Knowledge*. This time he goes in big for leisurely panning shots and, at the end, returns to the bleach-out effect that he used enough to last him a lifetime in *Catch-22*. But these are minor quibbles with a film that by and large demonstrates that when Mike Nichols takes a vacation, he goes first-class. ●

BOOKS

A thoroughly pleasurable, uncutesy book on the reigning superstars of America's animal kingdom

By Richard Kluger

Ling-Ling and Hsing-Hsing: Year of the Panda by Larry R. Collins and James K. Page Jr., Anchor Press/Doubleday, 164 pp., $6.95.

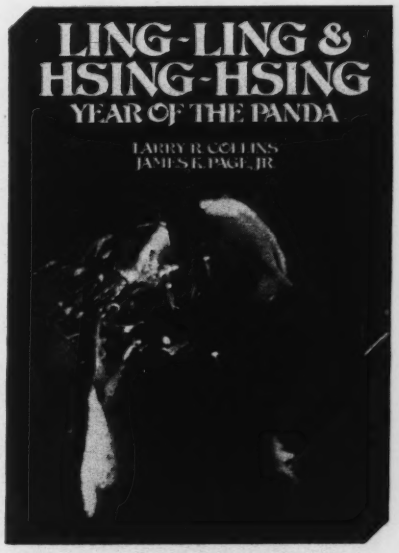
P is for panda
So furry and round.
He'll take off your leg
Without making a sound.

Pandas are refugees from the nursery of our collective mind. There is something utterly innocent about the huggy little black-and-white fluff balls that ricochet around John Q. Infant's playpen, providing endless succor and collecting countless lethal microbes. All of us grew up knowing what pandas looked like, though none of us had ever seen one. Andy Panda was a popular comic critter of yore, at one time batting in the Bugs Bunny League. And while there is no really legendary panda on a par with, say, Bambi or Br'r Rabbit, you sort of half-got the feeling that Winnie the Pooh was a panda in drag.

Now along comes a book threatening to blow the lid off this whole saccharine panda racket, exploding yet another myth of childhood in a burst of talcum powder. Well, there's good news in the fey department: according to Larry R. Collins, head pandaman at Washington's National Zoo, the panda is a thoroughly distinguished animal. Also exceedingly rare in these (or any) parts. If you're the sort of monster who'd like to bag one and hang its head over the fireplace, you'd better get cracking: the only ones on earth not behind bars roam the wet, snowy mountains and bamboo forests of Szechwan province in the wild west of China, where they frown on interlopers with a yen for pandacide.

The pair in this book came to Washington in a straight-player deal for two listless musk oxen dispatched in return to the Peking Zoo—surely one of the few undisputed triumphs of Richard Nixon's Presidency. And consider what use his friend George Allen of the over-age Washington Redskins could make of the priceless newcomers: at maturity (age six or so), they go six-feet-even, 300 pounds, with lateral moves quick as lightning for all their bulk, paws that bat away foreign objects (says author Collins) "with the blinding speed of Muhammad Ali in his prime," and jaws that can sever a man's wrist in a twinkling. Toss in their skills as acrobats and an uncanny ability to read the defenses of their keepers, who proceed in their presence with great caution, and you've got two can't-miss All-Pro linebackers in size 80 helmets.

As the nation's best known pair of resident aliens (excepting, perhaps, John and Yoko) and the only pandas now on



view outside the Communist world, Ling-Ling and Hsing-Hsing are the reigning superstars of the American animal kingdom. And given the delicacy of the U.S.-Chinese *rapprochement,* they have been the objects of extraordinary tender-loving-care from a team of five keepers at the National Zoo's plush Panda House. A good thing, too, for from the moment they were uncrated, Ling-Ling ("cute little girl") and Hsing-Hsing ("bright star") have proven a couple of rambunctious Pagliaccis.

Weaned as most of us are on tales and images of gabby animals, we fall hopelessly in love with real-life beasts that make like people. Pandas are particularly good at winning our hearts this way, thanks largely to their unique grasping paws, featuring a kind of thumb or sixth claw found on no other animal. Actually an elongated wrist bone on each front paw, covered with a tough horny pad of skin, it gives the panda man-like dexterity. So when we see a photograph of Hsing-Hsing with a foot-long hunk of bamboo jutting from his jaw, we are reminded of Winston Churchill in Toyland. *cum* panatela.

Blessedly little such anthropomorphism gums up the job that Collins and his collaborator, James Page Jr. of the *Smithsonian* Magazine, have managed in this thoroughly pleasurable, informative, and uncutesy book that works for readers of all ages. While we can all share a smile at the daring duo's antics (see them chew up ABA basketballs in nothing flat or rub chunks of ice on their bellies to stay cool in the muggy Washington summer), there is basically a great deal of hard-core zoology tucked away in here, along with a goodly number of winsome, if blurry, photographs. Among the range of topics explored: how to eat bamboo (no easy trick, considering that the stalks run 20-feet high and are nearly indigestible), and how to weigh a panda (not on a subway scale).

In the Year of the Panda, chronicled here so delightfully, there was plenty of excitement beyond sheer novelty, including one near-escape—they are remarkably adroit and resourceful animals—and one near-maiming, but the real excitement lies ahead. To be blunt, will Ling-Ling and Hsing-Hsing go in for hanky-panky? Very few pandas have been bred in captivity. If their union should prove fruitful—and our prayers go with them—one can only hope that in time, the newcomer's parents will be allowed to pass their golden years frisking and flopping back in the Szechwan snows. Some of us have never recovered from *Born Free.*●

The Beach Boys make time march backward—and forward, yeah

By Janet Maslin

Outside the Music Hall in Boston, an enormous throng of kids too young to drive home are holding up traffic on their way to the subway, countering all the angry honking with sweet little smiles and shouts of "Bar-bar-bar-bar-barber Ann!" Inside the subway station, smaller groups are dancing and jumping around, trying to sing the harmony on "Help me Ron-da (bomp)/Gitter outta my heart!" And back inside the Music Hall, a different and slightly older crowd is about to find out why the Beach Boys' first audience went home ecstatic.

Churning out their exquisite harmonies, juxtaposing old and new songs so smoothly that the overall coherence of their work becomes the evening's most striking memory, the Beach Boys in their current incarnation now divide into two distinct generations. Blondie Chaplin (22) and Ricky Fataar (21) are the group's youngest and newest members, two South African alumni of a group called The Flame who joined the Boys two years ago and have since labeled their ASCAP publishing outfit "Jungle Bunny."

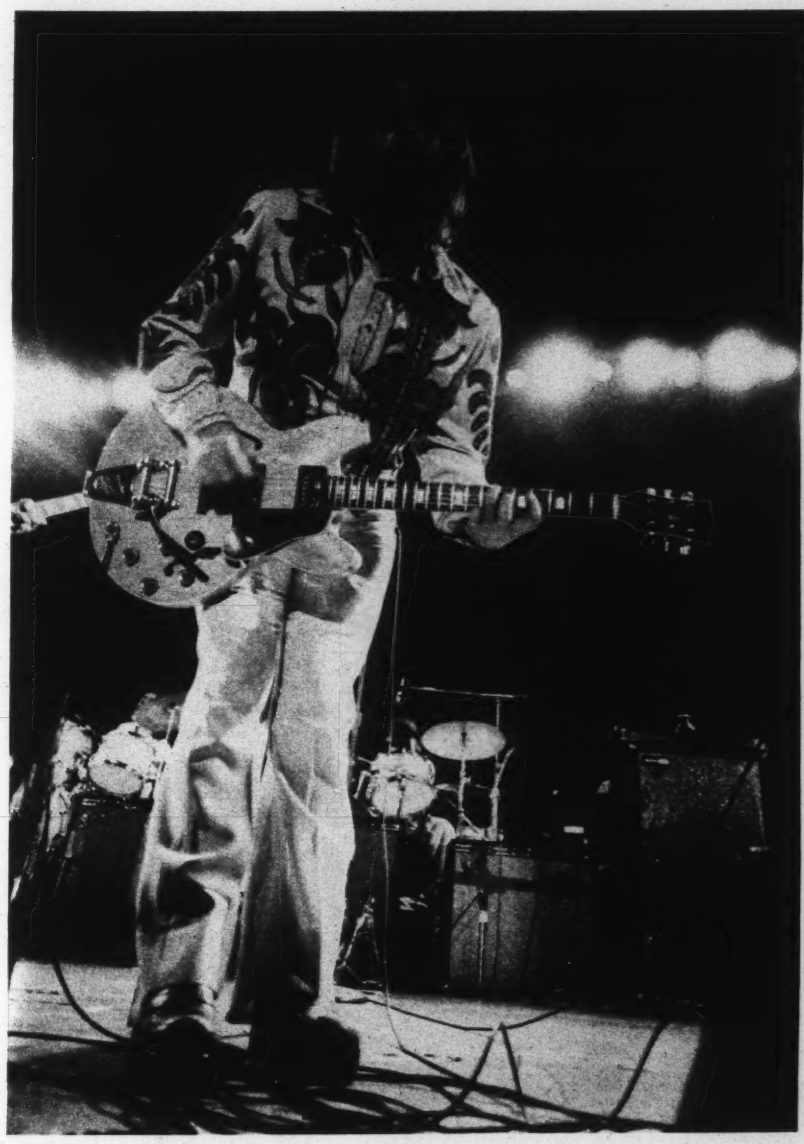
Blondie is a wonderfully expressive singer, opening the show with a riveting lead on "Sail On, Sailor," while Ricky, who is a superb drummer, adds such a tough, inspired pedal steel line to "Marcella" that he's the backbone of the song. Ricky is fairly unobtrusive on the stage, though, wandering around quietly from instrument to instrument (like most of the band's members, he plays a little bit of everything). Blondie stands up front and actually wears a "backstage pass," which may or may not be his idea of a joke. With his jeans, his sweatshirt, a newsboy's cap and curious stiff posture that suggests a panda bear, Blondie looks so unlike the rest of the group that he may well have had his share of trouble getting past the guards at their dressing rooms.

As for the veterans, they really haven't changed all that much from the old days, as immortalized on the cover of their *All Summer Long* album, which is as much a piece of middle-class folk art as their early lyrics turned out to be. The front cover of the album had the fellas drinking Pepsi, roasting hot dogs, playing football and wowing their dates—all on the beach, of course. On the back cover things took a turn for the serious, and each one got a little space to write something about himself. Mike Love (now 32), who wrote about "the helpless feeling of seeing a girl, who maybe spent her last dollar to see us, crying or something 'cause the cops wouldn't let her stay and get a Beach Boys autograph," has evolved into the group's flashiest mystic and has recently developed copious sex appeal. Tonight he wears blue satin emblazoned with a yellow moon and star across the chest, no shoes, a long blond beard and a Panama hat, and he's swiveling up a storm.

Al Jardine, now 31, who wrote back then about his self-consciousness at being the group's only non-relative, and about how "recording sessions are a real panic," still seems slightly nervous and deliberately unobtrusive. Dennis Wilson, now 29 ("Hi—They say I live a fast life," he wrote back then), is still the group's most glamorous presence. And his younger brother Carl, just turned 27 (who used *his* space to simply tell his parents, brothers and fans that "I hope you are proud of us"), is still quietly straightforward, and remarkably unaffected. The legendarily eccentric Brian Wilson, 31, the group's original mastermind and one of the most important of all rock innovators ("The feelings you get from going to school, being in love, winning and losing in sports—these are my inspirations"), lost patience with touring years ago and now spends most of his time at home.

The first half hour of the show contains a lot of their fluid, relaxed recent material, and so it's relatively slow—which means, in the Beach Boys' case, that the crowd isn't standing on their seats yet. This part of the act is livened up considerably by Dennis Wilson, who in his velvet suit and bow tie is boozing on stage and behaving like the lone drunk at a debutante ball, and by Mike Love, who is shamelessly hawking their fine new live album, *The Beach Boys In Concert*, by

The Beach Boys, most of whom have been together 12 years, at a New York concert.



In Boston, Carl Wilson wears a shirt which he says, "Makes him feel like performing."

insisting it's "a limited edition." Dennis Wilson ordinarily plays drums, but right now he's still recuperating from injuries sustained when he rammed one hand through a plateglass door. He tries playing keyboards with one hand from time to time, but mostly he staggers around aimlessly, knocking over microphones, making curious little slips ("Are you ready?" he yells to the crowd. "Are you gonna sleep with us?" meaning "sing"), and confiding things like how Mike Love wears no underwear. Love strikes back in kind, but the rest of the band pretty much ignores both of them, too busy concentrating on the miraculous business of duplicating their intricate arrangements without benefit of studio tricks, overdubbing or anything else save sheer genius.

A couple in front of me, who have been necking their way through a quiet number ("Caroline No"), jump to their feet and start dancing along with the rest of the crowd as the blitz begins. The best old Beach Boy numbers, seven or eight of them in rapid succession, whip the audience into a full time-warp frenzy. And as I try to balance on the edge of my seat while the whole hall sways along to "Good Vibrations," I get a dizzying sense of what it must have felt like to hang 10 in California in 1963. The set finally ends after two short hours with Mike Love's Mick Jagger imitation and "Jumpin' Jack Flash," a Rolling Stones song that fits in perfectly; the whole show has become a stunning musical time machine back to the days of live acts so exhilarating that you just couldn't stand still, not even for a minute. The Beach Boys used to be like that—and considering the quality of their recent work I don't know why I'm surprised to realize that they still are.

Carl Wilson is the world's most serene rock and roll star and also one of the world's nicest. He has agreed to talk to me back at his hotel provided I don't ask him whether or not he still surfs (he doesn't), and Ricky Fataar is talking to me too because I promised not to ask *him* how it feels to be a Beach Boy, a question guaranteed to make him scream. The whole group is still astonishingly close after 12 years, approximately 30 albums (including reissues and imports) and various personnel changes. But Ricky and Carl have gotten to be especially fast friends from doing a lot of studio work together. Next to being back home with his wife and two children, the studio is pretty much Carl's favorite place to be.

Carl has been a Beach Boy since he was 15, but it is only recently, with Brian's partial departure, that he has emerged as both a precise, sensitive songwriter and the group's leader, eye-of-the-hurricane style. He speaks gently, with a soft California accent and a slightly singsong inflection, as he explains that the group will be touring less now ("Yeah, we're beat. Everybody is really pooped"), that Dennis' drunken antics don't make him angry and how much he loves watching audiences shout out requests ("It's a crackup, actually"). On the subject of the group's longevity, he says simply: "Maybe we find comfort in the strength of our relationship or in how enduring it's been, you know? I don't think about it really."

As a battalion of police cars converge noisily near Carl's hotel window both he and Ricky stop talking and devote their full attention to the sirens, which Carl decides remind him of a Stevie Wonder record. He has so strong a sensitivity to raw sound that he can perceive almost anything without having to think about any literal meaning. He can even perform old Beach Boy songs like "Fun, Fun, Fun" and not even notice the lyrics he's singing. "When we do old songs, it's just like second nature, so you don't get hung up on thinking, oh shit! 'Looks like an ace,' you know? It's the sound that comes first, the vibration that the whole thing is making."

And what is the measure of that vibration's impact, at least in terms of concert audiences? "It's a funny thing," as Carl had said after the show, still wearing a most incongruous cowboy shirt with red Hawaiian flowers all over it. "Sometimes they scream and sometimes they just clap. Tonight everybody was screaming." ●

FINAL TRIBUTE

All Michael Cullen ever wanted to do was feed the poor

Michael Cullen with two of his children at a farewell mass in his honor.

By Nina Bernstein

"What do you do after you've burned draft cards and been to prison? Adjusting—there was no way I could adjust. . . . To go back into the landscape and not be somebody where you were once somebody—it's terribly hard."—Michael Cullen

Michael Cullen, who once fed and sheltered 35 derelicts in an abandoned church near Milwaukee's skid row and was later busted for antiwar activity, is back in Ireland. The Justice Department's Immigration and Naturalization Service sent Cullen back to his homeland this fall, and his former followers have been left to sort through lost leaders like smokers picking over butts when the party's over.

Father James Groppi is driving a cab in Milwaukee to earn his law school tuition. Abbie Hoffman has been busted for cocaine. Cullen never made the kind of headlines they did. By September, 1968, when he and a group composed mainly of clergymen dragged draft files out of a Selective Service office and set them aflame with "home-made napalm," such acts of conscience were already second-hand protest. Outside of Wisconsin, the Milwaukee 14 must have seemed like a Midwestern rerun of the Catonsville 9, and Cullen—if he was known at all—a budget-brand Berrigan. But he was more than that, and if his deportation is a footnote to a burnt-out decade, maybe it's time to look at footnotes.

He was a 19-year-old would-be-priest when he arrived here from Ireland in 1961. "I came to America as a missionary," he told the jury at his trial. He left the seminary in 1964, married Nettie, an American, and became a salesman for Mutual of Omaha. But early in '66 he quit his job to open Casa Maria, "a hospitality house for the poor."

Upstairs in the house were migrant families; in the basement, bums without the price of bread or a bottle; in one room and a closet, the Cullen family. "By 1967," he once recalled, "I was asking questions like, 'Why were we spending so much money on a war?"

The questions led him from a one-man antiwar fast to late-night counseling sessions with draftees and, in late 1968, to the ceremonial burning of draft files stolen from Milwaukee's Selective Service building. "I don't have any real cut-and-dry answers," Cullen said at his trial. "Except, as men in this time, certain things are demanded to be human. God help us, we had nothing else we could do."

Ten months later, when Cullen emerged from federal prison, he found nothing at all to do. "We didn't seem to be able to pick up our old roots," he said. "Casa Maria was in other hands."

The Cullens and their three children lived in one bedroom near skid row, sharing a bathroom with four other families. Cullen couldn't find a job . . . couldn't even really start looking. "I gave a few talks for money, about the action," he said. "I was relying on my past. For the past few years I had been the center, and I wanted that to continue . . . ."

Cullen took compulsive hitchhiking trips to "get his head together" and rented a storefront where nothing ever happened. "I was sort of waiting for some direction to appear on the scene," said Cullen. "That's the terrible thing about being a public figure. You think you have to be about something, and if you aren't, well, it's murder."

The media melodrama of Wounded Knee appeared, along with Cullen's deportation order. He split for Rapid City, S.D. with a letter asking the Indians for asylum. But he came back, persuaded that he was being seduced by "the poetry of Wounded Knee" into "false heroism." A few weeks later he decided to submit to deportation without a fight. "The action [of the Milwaukee 14] was poetry and symbol . . . . And the more claim was made for it, the emptier it became. To fill out the poetry at the end, there had to be submission to the state."

There were headlines again at the end, as well as folk masses, farewell benefits and speaking engagements. Unlike his compatriots from the Movement, Cullen got to play a last scene in the morality play he once lived. And those who believed in him and all the others got to say at least one real goodbye. ●

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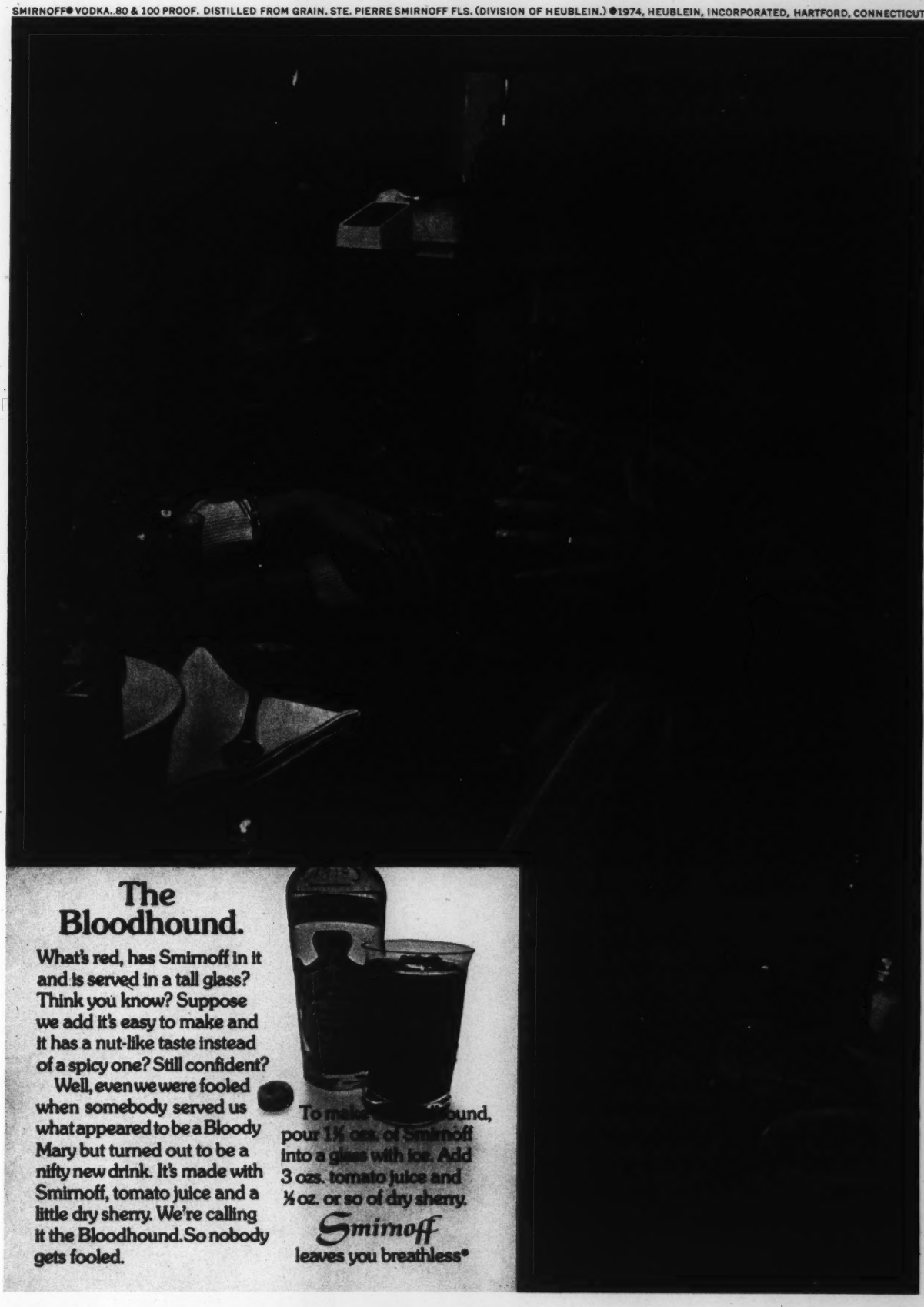

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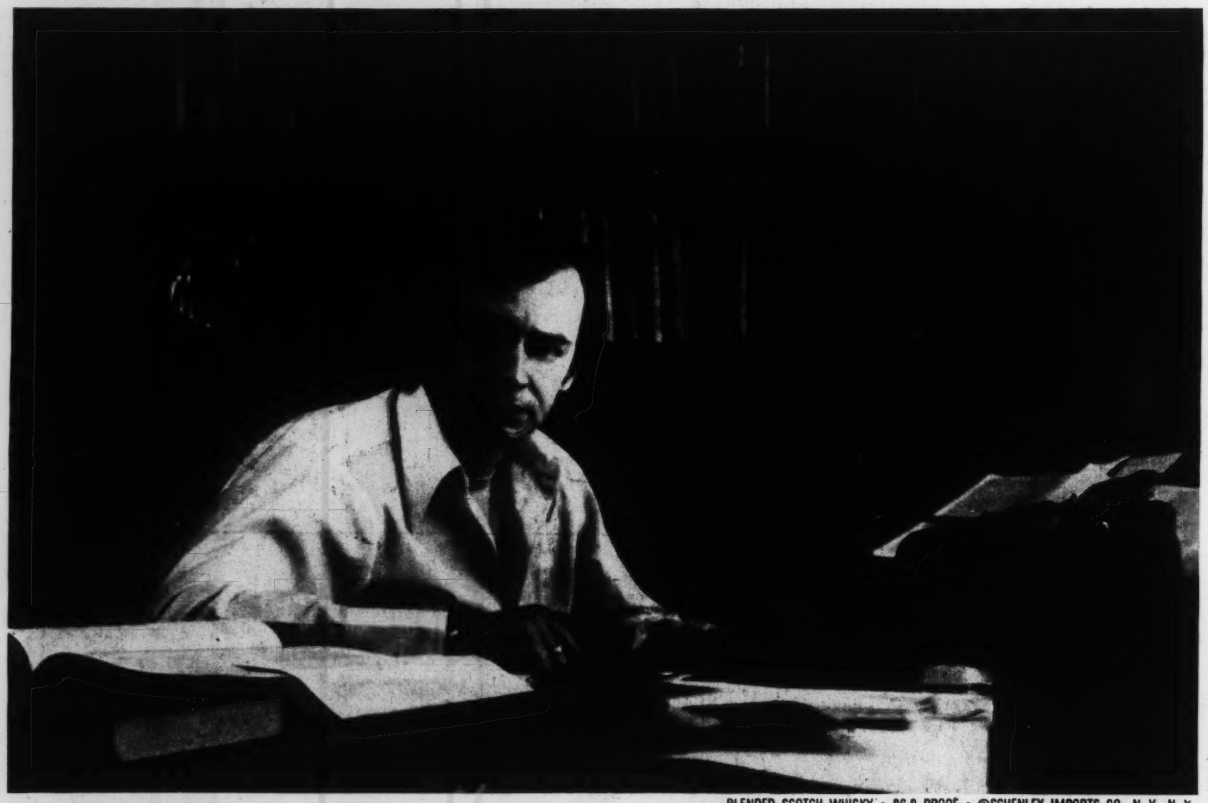

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DENNIS SMITH

HOME: Garrison, New York

AGE: 32

PROFESSION: New York City Fireman. M.A., B.A. Associate Professor of Literature.

HOBBIES: Irish poetry, guitar, bagpipes.

LAST BOOK READ: "Memoirs," by William Butler Yeats

LAST ACCOMPLISHMENT: Author of best selling book, "Report From Engine Co. 82."

QUOTE: "Many people still think of the firefighter as a checker-playing, suspenders-wearing man who occasionally rescues kittens from treetops. It is a brutal, grimy job in which highly-coordinated, split-second action determines whether or not a life will be saved."

PROFILE: Studious and hardworking. Completely dedicated to a dangerous profession.

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